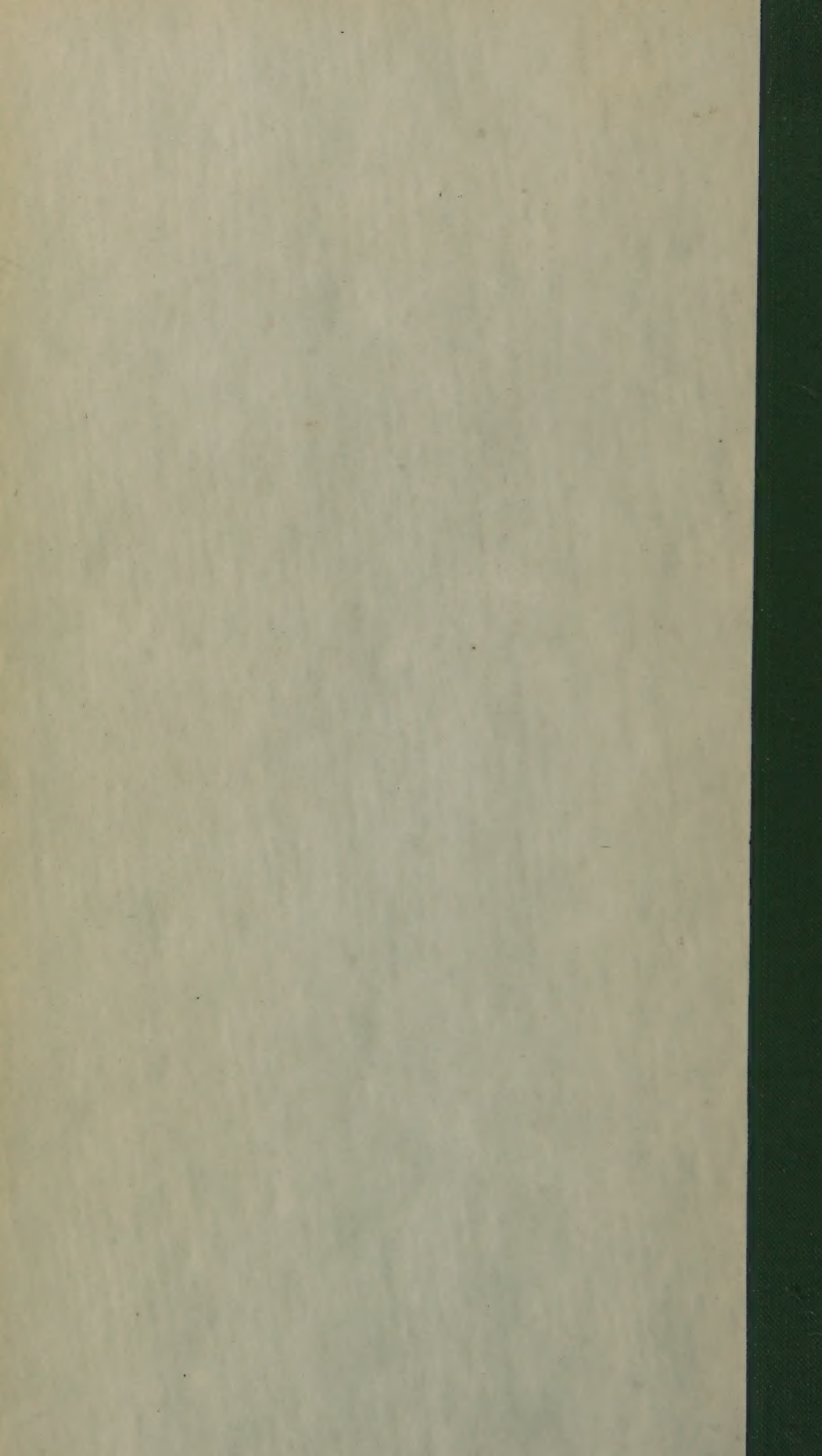


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THE REFORMATION IN POLAND



SERIES XLII

No. 4

JOHNS HOPKINS UNIVERSITY STUDIES
IN
HISTORICAL AND POLITICAL SCIENCE

Under the Direction of the

Departments of History, Political Economy, and
Political Science

THE REFORMATION IN POLAND
SOME SOCIAL AND ECONOMIC ASPECTS

BY
PAUL FOX, PH. D.

BALTIMORE
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1924

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CONTENTS

	PAGE
I. Contemporary French Opinion on the American Civil War. By W. REED WEST.....	1
II. Frederick Law Olmsted: A Critic of the Old South. By BROADUS MITCHELL.....	161
III. Constitutional Doctrines of Justice Oliver Wendell Holmes. By DORSEY RICHARDSON.....	319
IV. The Reformation in Poland: Some Social and Economic Aspects. By PAUL FOX.....	427

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TABLE OF CONTENTS

Preface.....	vii
Chapter I. Development of the Reformation in Poland.....	9
Chapter II. Social Causes of the Polish Reformation	64
Chapter III. Wealth of the Polish Church in the XVIth Century: Its Effect on the Polish Nobility.....	84
Chapter IV. The Conflict between the Polish Nobil- ity and the Clergy: Its Economic Aspects.....	101
Appendix.....	138
Bibliography	149

PREFACE

In the foreword to his book on "The Reformation in Germany," Prof. Henry C. Vedder makes this statement: "The great religious struggle of the sixteenth century was only a phase of the social revolution then going on in Europe and effecting a transformation of all its institutions. Momentous economic changes were the underlying cause of political and religious movements. . . . The external events of the Reformation have been told before with substantial accuracy; what is now needed is illumination of the facts by the light of this new knowledge."

The present study on the Reformation in Poland attempts to gather together material of social and economic nature and to point out that the underlying causes of the rise and spread of the Reformation in Poland were chiefly social and economic rather than religious, or even purely political. Viewed in this light, the rapid rise and the phenomenal growth of the Polish Reformation, as well as its almost complete collapse in the course of the following century, become quite intelligible. Had the movement had its roots in deep religious convictions, it would have survived the changes in social institutions, but, having been inspired and stimulated in its early development by economic motives, it lost its dynamic force with changed economic conditions by the end of the sixteenth century.

Owing to the fact that the writer has had access to only a part of the great abundance of source material bearing on this subject, the study does not pretend to be exhaustive. However, it has the merit of being the first attempt to portray the development of the Polish Reformation in the light of economic causes, and in the judgment of the writer the conclusions here reached and the interpretation given the movement are essentially sound.

In this place the writer wishes to express his indebtedness to Dr. John M. Vincent, Professor of European History at Johns Hopkins University, for his encouragement in the prosecution of this study and for his valuable suggestions and criticisms, and to Miss Mary C. Stokes, of the Historical Department in the University, for her careful reading of the manuscript before its going to press.

P. F.

THE REFORMATION IN POLAND

SOME SOCIAL AND ECONOMIC ASPECTS

CHAPTER I

DEVELOPMENT OF THE REFORMATION IN POLAND

The Background of the Polish Reformation.—The Reformation found in Poland a fertile soil and a congenial atmosphere for its spread and growth.

To begin with, the attitude of the Polish princes was one of independence. They had from early times carefully guarded and vigorously defended their royal rights and prerogatives against the church's pretensions and efforts at usurpation of power. When, for instance, Stanislaus Szczepanowski, bishop of Cracow, encouraged by Gregory VII's triumph over Henry IV, attempted to make Gregory's policy prevail in Poland by placing himself at the head of the disaffected powerful Polish aristocracy, to whom a strong executive power was distasteful, and who desired to dethrone the reigning king and to enthrone his weak subservient brother, Boleslaus the Bold (1058-1080) did not hesitate to put the rebellious bishop promptly to death.¹ When Archbishop Henry Kietlicz, under the influence of Innocent III (1198-1216), determined to introduce the Gregorian reforms into Poland at any cost, Wladislaus, surnamed Langshanks (1202-1206), resolutely opposed the move even at the cost of his throne.² Again, when the Polish clergy opposed a change in the payments of tithes, from payments in kind to payments in money, Boleslaus the Bald, of Silesia, ordered the imprisonment of Thomas, bishop of Breslau, together with one of his canons, had them put in stocks, and though the archbishop of Gnesen excommunicated Boleslaus and the

¹ Walerjan Krasiński, *Zarys dziejów Reformacji w Polsce*, Warsaw, 1903, vol. i, p. 26; Wł. Smoleński, *Dzieje narodu polskiego*, Warsaw, 1904, p. 21.

² Smoleński, pp. 30-31; Krasiński, vol. i, pp. 29-30.

Pope ordered the archbishops of Gnesen and Magdeburg to proclaim a crusade against him, Boleslaus did not yield until Thomas made peace with the prince by paying a fine of 2000 silver marks and by agreeing to payments of tithes in money.³ And when later the bishop of Breslau opposed the levying of a tax on the clergy for the benefit of the prince's treasury, Boleslaus' son, Henry, now prince of Silesia, exiled the recalcitrant bishop. Though excommunicated for this act by the archbishop of Gnesen, he did not permit the bishop's return until after five years of exile, the bishop finally yielding and submitting to the tax.⁴

Besides these instances, there were others. Leszek the Black (1279-1288) was at odds with the bishop of Cracow, Paul of Przemankow. The bishop, an implacable enemy of the king, conspired against the king, incited the aristocracy against him, and caused even an invasion of Little Poland by the Lithuanians and the Jadźwings. The king dispersed the invaders, confiscated the bishop's property, and imprisoned him in the Castle of Sieradz, putting him in stocks. It was only when the Pope threatened Leszek with excommunication that the king liberated the imprisoned bishop.⁵ In the fourteenth century Casimir the Great (1333-1370) imposed a tax on episcopal property. The Polish high clergy resented that, and excommunicated the king. Casimir ordered the priest, who brought the bull of excommunication to him, to be seized and drowned in the Vistula River. And since Casimir was a powerful and popular ruler, the clergy took due warning, and desisted from further provocative steps.⁶ Moreover, it is worthy of note that while in Germany the right of investiture was surrendered as early as 1122 by the Concordat of Worms, in Poland the princes defended and retained the right as late as 1206.⁷ And in the second half of the fifteenth century, taking advantage of the existing schism in the church at that time, they again regained it, and made it a permanent and indisputable pre-

³ Krasin'ski, vol. i, p. 31.

⁴ Ibid. vol. i, pp. 31-32.

⁵ Smoleński, pp. 41-42.

⁶ Krasin'ski, vol. i, p. 34.

⁷ Smoleński, p. 31.

rogative of the Polish crown.⁸ Even such a loyal son of the church as Sigismund the Old (1506-1548) did not allow the Pope to interfere with his right in this particular. When at the beginning of Sigismund's reign the Pope deliberately nominated a candidate for the bishopric of Płock, the king refused to accept the papal nominee, stating that he would never consent to such violation of the country's laws by allowing anyone else to nominate the kingdom's senators. Again, when later in Sigismund's reign Pope Hadrian VI was delaying his approval of the king's nomination of Leszczyński to the bishopric of Posen, Sigismund notified the Vatican that the Pope's refusal to comply with his just wishes might result in unpleasant consequences to the Holy See; whereupon the Vatican at once approved Leszczyński's nomination to the bishopric of Posen.⁹

An equal measure of independence characterized the Polish high clergy in respect to its relation to the Vatican. Prince Wladislaus II (1138-1146), striving to establish a strong unified and centralized government in defiance of the provisions of his father's will, which divided the kingdom among four of his sons, aroused the opposition of the aristocracy and of the clergy, to whom a strong centralized government was very unpalatable. James of Żnin, archbishop of Gnesen, as leader of the opposition, excommunicated the stubborn ambitious prince, and forced him to abdicate. Wladislaus appealed his case to Conrad III, emperor of Germany, and to the Pope. Both of them responded, the emperor with a military expedition and the Pope with a legate. When on arrival in Poland the Pope's legate, Cardinal Guido, was unable to secure a return of the throne to Wladislaus, he excommunicated the opponents, and placed the country under an interdict. The Polish bishops, however, paid no attention to the legate's excommunication and interdict; and Wladis-

⁸ An interesting and detailed account of this incident is given by Stanislaus Smolka in his *Szkice historyczne*, Warsaw, 1883, pp. 259-281. See also Eugene Starczewski, *Możnowładztwo polskie*, Warsaw, 1914, pp. 114-115.

⁹ Krasieński, vol. i, pp. 34-36.

laus, though supported by the Pope, had to remain in exile until his death in 1159.¹⁰ Wladislaus, surnamed Langshanks (1202-1206), in his opposition to the Gregorian reforms, upon which Pope Innocent III insisted, had the support of many high church dignitaries among the Polish clergy. Philip, bishop of Posen, for instance, refused to promulgate in his diocese the papal interdict, under which Archbishop Kietlicz was instructed to place the country.¹¹ To what extent the Polish clergy disregarded papal decrees may be seen from the fact that though Pope Gregory VII (1073-1085) decreed a general enforcement of celibacy among the Roman clergy, marriage among the clergy of Poland, according to the historian Długosz, was still generally common as late as the close of the twelfth and the first quarter of the thirteenth century.¹² It is quite instructive to note that even such high church dignitaries as John Łaski and James Uchański, both archbishops and primates of Poland, the first from 1510 to 1531 and the second from 1562 to 1578, were very unfavorably disposed toward the Vatican. As bishop and secretary of state, Łaski declined to support the Pope's project of forming a league against the Turks. As archbishop of Gnesen and primate of Poland, he worked for the emancipation of his archbishopric from Rome to such an extent as to alarm not only his enemies, but even his friends and the king himself.¹³ Uchański's orthodoxy and loyalty to Rome had been long under suspicion at the Vatican; so much so that when Sigismund Augustus (1548-1572) appointed him to the bishopric of Chełm, the Pope did not ratify the appointment for several years, and when the king promoted Uchański to the bishopric of Kuyavia, the Pope refused to sanction the promotion altogether. This served only to estrange Uchański from the Vatican still more, and led him, especially on his elevation to the archbishopric of Gnesen, to entertain plans and to advocate the advisability

¹⁰ Smoleński, pp. 25-26.

¹¹ *Ibid.*, p. 31; Krasiński, vol. i, p. 30.

¹² Smoleński, p. 31; Krasiński, vol. i, p. 37.

¹³ Starczewski, p. 72.

of calling a National Synod and of withdrawing the Church of Poland from the jurisdiction of Rome.¹⁴ When the papal legate, Commendon, dreading such a consequence, urged the Vatican to forbid, contrary to the decisions of the Council of Trent, the holding of Provincial Synods in Poland for fear that one of them might at any time be turned into a National Synod, the Polish bishops rose in protest against it in the senate of the Diet, going even so far as to declare that the king, and not the Pope, was their overlord and judge.¹⁵

The people, too, manifested the same spirit of independence in their attitude toward the church, whenever occasion demanded. In the eleventh century they arose in rebellion against the oppression of both state and church, particularly the church, owing to the foreign character of its clergy and their burdensome exactions. They demolished churches and monasteries, drove out the priests and the monks, and reverted to paganism.¹⁶ In the struggles of the state with the papacy for supremacy the people generally supported the state. This explains the boldness and self-confidence of the Polish rulers, with which they successfully opposed the pretensions of the papacy much longer than the German emperors.¹⁷ The papal anathema, hurled against recalcitrant princes and shaking the very foundations of Western thrones, fell in Poland without causing much disturbance or harm.

Another factor, which in a large measure prepared the soil for the spread of the Reformation in Poland, was humanism.¹⁸ The new turn in literature and philosophy reached Poland early in the fifteenth century, and found many friends both among the laity and among the clergy.¹⁹ One

¹⁴ Vincent Zakrzewski, *Powstanie i wzrost Ref. w Polsce*, Leipzig, 1870, p. 112. When the Roman Inquisition called Uchański to appear before it to give account of himself and to be tried as a heretic, he refused to do so, protesting against being called a heretic before a previous trial (see Zakrzewski, p. 140).

¹⁵ Zakrzewski, pp. 179-180.

¹⁶ Smoleński, p. 19.

¹⁷ Krasieński, vol. i, p. 32.

¹⁸ Smoleński, p. 93.

¹⁹ T. Grabowski, *Literatura luterska*, Posen, 1920, p. 13. Many

of the most distinguished Polish humanists was John Ostrorog (1402-1501), a doctor of both laws from the University of Erfurt and a strong advocate of the supremacy of the state over the church. In his dissertation, "*Monumentum pro reipublicae ordinatione congestum*," Ostrorog wrote in 1473:

The Polish king recognises nobody's supremacy save that of God; instead of assuring the new Pope of his obedience he will sufficiently fulfill his duty if he congratulate him, and at the same time remind him that he should rule the church justly. It is below the dignity of the king to write to the Pope with humility and humbleness. . . . The clergy should help bear the burdens of the state as well as other citizens; there is no need of being indignant when the king orders the melting of church utensils for public needs. The church has gold not for the purpose of keeping it, but for the purpose of helping the needy. All payments for the benefit of the Pope should be abolished. Poland needs all the funds she can spare for war with invaders and for the preservation of domestic order and peace. The proclamation of jubilee papal bulls as well as fees for funerals, marriages, etc., should be prohibited. The king should nominate the bishops. In order to decrease the number of idlers, the establishment of monasteries in cities should be restricted, the admission for foreigners to them prohibited, and sermons in the German language diminished in number.²⁰

"Such were the predominant sentiments of the time," says Dr. Lewinski-Corwin, "in true keeping with the teachings of humanism, which spread in Poland through constant contact with Germany and Italy, in the principles of which several generations preceding the Reformation had been reared, and in accordance with which they shaped their views and opinions."²¹

The condition of the Polish church and the character of the Polish clergy in the fifteenth and sixteenth centuries, too, were favorable to the spread of Reformation ideas in Poland. Lorkiewicz characterizes the Polish church and the Polish clergy of this period thus:

The church, which by its calling and its nature, should be the guardian of the oppressed, the defender of the weak against the strong, the moral guide of men, and the regulator of social condi-

of the Polish bishops were great admirers of Erasmus, and they constituted, says Grabowski, the vanguard of the reformers.

²⁰ See E. H. Lewinski-Corwin, *The Political History of Poland*, N. Y. 1917, p. 138; Smoleński, pp. 80-81.

²¹ Lewinski-Corwin, p. 138.

tions, had allied itself with those social factors which sap the very life-blood of society, offering it in exchange only a form without content, a body without a soul. It had become a ballast, not such as steadies the easy movement of a light vessel, but such as threatens the storm-tossed ship with certain destruction. The clergy, if it is fit to use such unpalatable comparison, was at this time like an old church beggar, who, having said the prayers that had been paid for, had nothing more pressing to do than to hurry and in a particular and characteristic manner waste the alms he had received.²²

The Polish clergy led as dissolute a life as did the clergy elsewhere in Europe. The Polish bishops were far more interested in their incomes, their social standing, and in their political influence than in religion and morals. The indignation of the nobles, therefore, at the freedom the clergy enjoyed from taxation and other burdens was intense. They were strongly opposed to church tithes and to ecclesiastic jurisdiction, and resented papal interference in matters of state.²³

Pre-Reformation Reform Movements.—Into this receptive Polish soil the seed of religious reform had been sown from time to time for nearly four hundred years; and as it grew and developed, though greatly hindered from time to time, it helped to create an atmosphere favorable to the main religious reform movement of the sixteenth century. The followers of Peter Waldo, persecuted in Italy, sought safety in other countries. As early as 1176 some of them found refuge in Bohemia, and others settled in Poland, near Cracow.²⁴ Here they spread their master's teachings, and found many adherents both among the Czechs and among the Poles. Polish chronicles record the names of a number of Waldensian Poles.²⁵ In time these Waldensians must have become sufficiently numerous and active; for Pope John XXII found it imperative to appoint in 1326 a special Inquisitor for Poland in the person of Peter of Kolomea, a Dominican,²⁶ and in 1330 the Inquisition discovered that there were many Poles

²² Antoni Lorkiewicz, *Bunt Gdański Roku 1525*, Lemberg, 1881, p. 7.

²³ Lewinski-Corwin, p. 137.

²⁴ Krasinski, vol. i, pp. 37-38.

²⁵ Artur Górski, *Ku czemu Polska szła*, 2nd Ed., Warsaw, 1919, p. 55.

²⁶ August Sokołowski, *Dzieje Polski*. Wiedeń, 1904, vol. ii, p. 250.

and Czechs visiting the Waldensian churches in Italy and making liberal contributions to them.²⁷

Wyclif's influence reached Poland by way of Bohemia through the Masters of the University of Prague, who at the Polish king's request became the reorganizers of the University of Cracow.²⁸ Andrew Galka, a professor in the University of Cracow, an ardent admirer of Wyclif and a diligent student of his works, wrote a poem in which he praised the English reformer, and denounced the priests as servants of the German emperor and his Antichrist, who suppressed the truth and taught the common people falsehoods.²⁹ For this poem and for having Wyclif's works in his possession he was expelled from the University and imprisoned. He escaped, however, from his imprisonment, and sought the protection of Boleslaus of Silesia, whence he carried on an extensive correspondence, justifying his position and urging his readers to read Wyclif's works.³⁰

Owing to the existence of close political and intellectual relations³¹ between Bohemia and Poland in the fifteenth century, Hussitism found easy access to the latter country, and attracted many followers and sympathizers from among the Poles. Its anti-German, anti-papal, and nationalistic character found a responsive chord in their hearts. Huss and his ideas met with great favor on the part of many of them. At the Council of Constance the Polish lay representatives sided with the Bohemian delegation, and loyally defended Huss and his cause to the last. A number of powerful Polish aristocratic families, like Spytek of Melsztyn, Abra-

²⁷ Krasinski, vol. i, p. 38.

²⁸ Grabowski, p. 6.

²⁹ "Cantilena vulgaris de Wikleph." See Piotr Chmielowski, *Historja literatury polskiej*, vol. i, pp. 77-78.

³⁰ *Ibid.*, vol. i, p. 78.

³¹ The Bohemians or Czechs fought together with the Poles against the Order of Teutonic Knights, and twice offered the Bohemian crown to the Polish King, Wladislaus Jagiello. The Poles and the Lithuanians had separate colleges of their own at the University of Prague, established by Queen Hedwig, and Polish youth resorted to that University in large numbers. Huss corresponded with King Jagiello, and his close associate, Hieronim of Prague, spent some time in Poland, spreading his master's ideas.

ham of Zbonsz, Dersław of Rytwian, and others, became ardent supporters and defenders of Hussitism.³² Abraham of Zbonsz harbored and protected Hussite preachers in his possessions for years in spite of the fact that he was excommunicated for this offense by the bishop of Posen.³³ Hussitism was spreading in Poland to such an extent as to cause alarm among the church authorities. The archbishop of Gnesen, Nicholas Tromba, called a synod to assemble at Kalisz, at which it was decided to apprehend suspected heretics and to deliver them into the hands of ecclesiastical tribunals.³⁴ Cardinal Zbigniew Oleśnicki used his influence with the king, and secured from him the Edict of Wieluń (1424). By this edict the new teachings were declared to be deadly errors of heretics, contemptible to God, detrimental to the Christian faith, enervating to the body politic, inflammatory of perverse hearts, and should be repulsed and kept out of the country, if need be, by the sword. Heretics, protectors of heretics, and heretical suspects were to be regarded as traitors, and were to be punished by death. Those coming from Bohemia and entering Poland were to be examined by Inquisitors, and if suspected of heresy, they were to be detained. Polish subjects, whatever their class or condition, visiting or residing in Bohemia, were to return to their country by next Ascension Day; and if they failed to do so, they were to be regarded as heretics, subject to punishment as heretics. Obstinate heretics were to be punished by confiscation of property in favor of the crown treasury,³⁵ and neither the offenders themselves nor their posterity were to be admitted to any public office or to any official honors. And Polish merchants were forbidden to export anything to the heretics of Bohemia.³⁶

³² Smoleński, p. 75.

³³ Zakrzewski, pp. 19-20.

³⁴ Smoleński, p. 75.

³⁵ This violated fundamental constitutional rights granted the "szlachta" at Czerwińsk in 1422, and therefore could not possibly be enforced. See Appendix, No. 14. The term *szlachta* denotes in its narrow meaning the gentry, in its large and general meaning the Polish nobility as a whole.

³⁶ *Volumina legum*, vol. i, p. 38, folio 85. For text see Appendix, No. 1.

In spite of this drastic edict, intended to check the spread of Hussitism in Poland, the Bohemian Hussites sent some of their emissaries to Cracow in 1427 for the purpose of conducting religious discussions. The Polish historian Długosz, who was Cardinal Oleśnicki's secretary, reports that such a discussion, in which the Hussite representatives and the Roman Catholic doctors of the University of Cracow participated, was actually held in the city of Cracow in 1431, in the presence of the king, and characteristically adds that the heretics were vanquished, but would not admit it.³⁷

On January 30, 1433, due again to Cardinal Oleśnicki's influence, another royal edict was issued against the heretics. Its intention was to lend effectiveness to ecclesiastical excommunications by providing for seizures by the starostas.³⁸ of the property of excommunicated church offenders, who had been under the ban of the church for more than a year without effort to have it lifted.³⁹

It seems that even this measure did not materially help to keep the Hussite heresy in check. After the death of Władysław Jagiello in 1434 the Hussites were strong enough to offer some opposition to the regency of Cardinal Oleśnicki; for he and his party entered into a pact of confederation at Korczyn on April 25, 1438, for the purpose of acting together to subdue any possible political or religious disturbance.⁴⁰ To counteract this, the opposition, headed by Spytek of Melsztyn, the acknowledged leader of the Hussites, entered into a similar pact on the third of May of the year following. This step on the part of the Hussites led to a clash between the two confederated parties, resulting in Spytek's death, confiscation of his property, and in the ruin of the Spytek family.⁴¹

That all these measures were ineffective to check the spread of Hussitism in Poland is further evident from the fact that

³⁷ Krasieński, vol. i, pp. 50-51.

³⁸ The starostas were royal administrators and judicial officials similar to the Frankish counts.

³⁹ *Volumina legum*, vol. i, fol. 193 ff. See Appendix, No. 2.

⁴⁰ *Ibid.*, vol. i, fol. 140; Zakrzewski, p. 18. See Appendix, No. 3.

⁴¹ *Ibid.*, fol. 141; *ibid.*, pp. 18-19.

Casimir Jagiello (1447-1492), the king who restored to the Polish crown the right of investiture, lost to the Pope in 1206, issued in 1454 an order to the civil authorities in the dioceses of Gnesen, Posen, Włocław, and Płock to the effect that they cooperate with the appointed inquisitors in running down heretics.⁴² It must not be supposed, however, that Casimir Jagiello was a zealous defender of the Roman Church and a determined opponent of Hussitism. In 1462 he entered into an alliance with the excommunicated Hussite king, George Podjebrad of Bohemia, and maintained the alliance in the face of strong inducements as well as threats from the Catholic party to break it. When the Pope in his opposition to Podjebrad had gone so far as to attempt a crusade against the Hussites in Poland, Casimir sternly prohibited the proclamation of it.⁴³ In the western parts of Poland the traces of Hussitism were so deep that as late as 1500 the nobility of Great Poland demanded the cup at communion.⁴⁴ The work of the Hussites was reenforced by demands for reform, made by loyal sons of the Church of Rome, who had caught the spirit of Hussitism. Two men, both professors of theology at the University of Cracow, though at different times, Matthew of Cracow and James of Paradyż, became especially conspicuous within the Polish Roman Catholic Church in the fifteenth century for their advocacy of reform. Matthew of Cracow was born in 1330 of a family of town clerks (*Stadtschreiber*). Having received his preparatory education in his home town, he went to study theology at the University of Prague, where he took all the University degrees one after another, and finally in 1387 became professor of theology. In 1394 he went as professor of theology to the University of Heidelberg, and in 1396 he was made rector of that University. In 1397 he was called to Cracow for the purpose of reorganizing the University, founded in 1364 by Casimir the Great.

⁴² Raczyński, *Codex diplomaticus Majoris Poloniae*, p. 172 ff.; Zakrzewski, p. 20.

⁴³ Krasieński, vol. i, pp. 54-55.

⁴⁴ Górski, p. 117.

The University of Prague made an indelible impression upon him, and to its influence he felt that he owed everything. His conception of the church and his views of church matters were likewise the product of the University of Prague. And Matthew became not only a theologian, but also a reformer. While at the University of Cracow, he published in 1404 a pamphlet under the title, "*De squaloribus curiae Romanae*." In it, as well as in his sermons, lectures, and other writings, he condemned simony, defended the superiority of church councils over the Pope, severely criticized the existing form of religion as a mere semblance of Christianity, held the stupidity of church theologians responsible for the decline of scriptural religious faith, and demanded reforms.⁴⁵

As the spirit of the University of Prague made Matthew of Cracow, so the spirit of Matthew's theology made James of Paradyż. Born about 1380, James entered the monastic Order of the Cistercians at Paradyż at the age of twenty. In 1420 he was studying at the University of Cracow, from which in 1432 he received its highest degree, namely that of Doctor of Decretals, or of Theology. In 1431 he participated in the famous public discussion with the Hussites in the king's presence. Though loyal to the Church of Rome, James nevertheless became an ardent advocate of church reform, particularly of the monastic life. He went so far as to propose the confiscation of monastic property of all monastic orders which had become too worldly. In consequence of this revolutionary proposal, he was forced to leave his Order at Mogila and his chair of theology at the University of Cracow. Accustomed to the discipline of the monastic life, however, he entered the Order of the Carthusians at Erfurt, and continued his labors along the line of church reform both by preaching and by writing until his death in 1464.⁴⁶

That by the beginning of the sixteenth century the ground in Poland was fairly well prepared for the spread of the

⁴⁵ Chmielowski, vol. i, pp. 66-70; Grabowski, p. 6.

⁴⁶ Chmielowski, vol. i, pp. 70-71.

coming Reformation is made further evident by the character of some of the books published and the opinions circulated in the country at that time. In 1504, for instance, there appeared from the press in Cracow two significant books, "De vero cultu Dei," and "De matrimonio sacerdotum." These books contained views decidedly unfavorable to the church, and, as it was to be expected, were condemned by it. In 1515, Bernard of Lublin, writing to Simon of Cracow, expressed the opinion that the Gospel was all-sufficient for faith and practice and that all other precepts of men could be dispensed with.⁴⁷

The Spread of the Reformation in Poland. First Period, 1518-1540: Early Beginnings and Struggles.—The Reformation reached Poland soon after its outbreak in Germany, and spread rapidly. Following lines of least resistance, it penetrated through the established channels of trade and commerce and education into the larger commercial centres, where there was a considerable German element, and into the life of the country aristocracy, which sought knowledge and culture in the universities of Germany.

The first Polish city to feel its influence and to respond to it was the important commercial city of Danzig. In less than a year from the posting of Luther's theses on the door of the castle church at Wittenberg, Luther's reform doctrines were preached and championed in Danzig. The man who accepted them and began to preach them publicly was James Knade, a monk and preacher at the Church of St. Peter and St. Paul. Knade renounced his monastic vows, married Anna, the beautiful step-daughter of James Rohboze, a wealthy burgher of Danzig, and, fearlessly opposing Rome and Roman practices, advocated reforms in the church. Being a popular preacher, liked and respected by the people of the city, his activity was very dangerous to the Church of Rome. He was, therefore, seized, by order of the bishop of Kuyavia, tried, found guilty, and imprisoned. Shortly after his imprisonment, he was released, but had to leave the city.

⁴⁷ Lorkiewicz, p. 97; Górski, p. 56.

He took refuge on the estate of a country gentleman by the name of Krokow, near the city of Thorn, where, protected by his patron, he continued his reform activity without further interference.⁴⁸

Suppressed for a time, the reform movement broke out again four years later with accumulated force. The interval had given the people of Danzig time to think, to form opinions, and to take sides either for or against the Reformation. The year 1522, therefore, found the majority of the people of Danzig in favor of the Reformation. Some, however, wanted to carry it through conservatively, others by radical action. The advocates of conservative reform were drawn from among the well-to-do, and included the city council. The radicals came from the plebeian class, and represented the wishes of the common people. The conservatives favored the dogmatic aspect of the new reform movement, and opposed changes in organization, forms, and practices. The radicals, on the other hand, kept their eyes on the practical aspects of the new ideas, and proposed to carry them out to their logical limit.⁴⁹ The leader of the conservative reform party was Dr. Alexander, a Franciscan friar, an eloquent preacher, thoroughly educated and well balanced. The leader of the radical reform party was James Hegge, at first preacher at various churches outside the city wall, then prebendary of St. Mary's, the largest and most beautiful church in the city, and still later of St. Catherine's. Hegge was likewise an eloquent and popular preacher and a man of a very practical turn of mind.

While Hegge was the first to come forward in July, 1522, with a fresh attack upon the Church of Rome and its clergy, advocating the necessity of religious and ecclesiastical reforms both in doctrine and in practice, the conservative reform party, headed by Dr. Alexander, was able to control and to guide the movement for some time.⁵⁰ At length, however, the control of it passed into the hands of the radi-

⁴⁸ Lorkiewicz, pp. 32-33.

⁴⁹ *Ibid.*, pp. 40-41, 43, 68.

⁵⁰ *Ibid.*, pp. 50-51, 58-59.

cals. These were not satisfied with any half-way measures, like preaching the new doctrines, while still retaining the old forms and practices. They began to demolish all sacred pictures, to clean out the churches of all forms of idolatry, and to give up old practices.⁵¹ Owing to their strength and pressure, the conservative city government was induced to issue a proclamation, freeing all monks and nuns from their monastic vows, forbidding new candidates to enter any monastic order, and restraining all monks from preaching, hearing confessions, soliciting contributions, and visiting homes.⁵² Conscious now of its power, the radical reform party went still farther, and demanded a share in politics and in the government of the city, with the result that early in 1525 it finally overthrew the conservative aristocratic city council, and established a popular city government.⁵³ The new city council closed all monasteries and convents, abolished Roman forms of worship, took possession of all church property, and appointed Lutheran preachers.⁵⁴ In its results, then, the Danzig Reformation was not only religious and ecclesiastical, but also social and political.

The accomplished reforms, however, were too thoroughgoing and too far-reaching to be lasting. The ecclesiastical authorities and the overthrown city council appealed to King Sigismund I (1506-1548) for help. The king, a loyal Catholic, first sent a commission to inquire into the situation and to restore the old order of things. When the insurrectionary city government would not yield to the representatives of the royal commission, the king in person set out for Danzig, accompanied by an armed force, forced the new city government into submission, punished fifteen of the revolutionary lay leaders by ordering them to be beheaded, and restored the former aristocratic city government and the Roman Catholic form of worship.⁵⁵

In reality the king's intervention restored only the old

⁵¹ *Ibid.*, pp. 43, 68.

⁵² *Ibid.*, pp. 58-60.

⁵³ *Ibid.*, pp. 58-75.

⁵⁴ Smoleński, p. 94.

⁵⁵ Lorkiewicz, pp. 119-148.

political order of things. The old religion was restored in outward appearance only, and for the time being as a matter of expedience. At heart the people of Danzig remained thoroughly sympathetic with the new religious teaching and the proposed religious reforms. So did the aristocratic city council now restored again to power as a result of the king's intervention. With the restoration of the conservatives to power every effort was made to preserve the old forms of worship. At the same time the conservative aristocratic city council saw to it that to the pulpits of all the more important city churches only preachers sympathetic with the new teaching were appointed.⁵⁶ Under the leadership of this council and such conservative and tactful men as Dr. Alexander, Urban Ulric, Peter Bischoff, Pancratius Klemme, and Klein, the Reformation in Danzig went forward quietly, and by 1540 became an accomplished fact, not only in spirit, but also in form. This being the case, the king acquiesced.⁵⁷

The Reformation spread rapidly to other West Prussian cities, and was accepted everywhere with enthusiasm. In the city of Thorn, the birth-place of Copernicus, Luther's doctrines were preached as early as 1520-1521. That they were favorably received and found many adherents may be seen from the following incident. The papal legate Ferrei, having come to Thorn at this time, proceeded publicly to burn Luther's portrait and some of his writings before the Church of St. John. The residents of the city made an attack on him and his followers, drove them away with stones, and rescued Luther's picture from the flames.⁵⁸ It is more than probable that the ferment the Reformation was causing at Thorn was partly responsible for the publication in that city, July the 24, 1520, of the king's Thorn Edict, by which the importation of Luther's writings into the land were forbidden under penalty of confiscation of all property and of exile from the country.⁵⁹

⁵⁶ *Ibid.*, pp. 153-155.

⁵⁷ *Ibid.*, pp. 154-155; Krasinski, vol. i, 81-82.

⁵⁸ Krasinski, vol. i, pp. 80-81.

⁵⁹ Balzer, *Corpus Juris Polonici*, vol. iii, pp. 579, 584. Original in

In Braunsberg, the seat of the bishop of Warmya, the Lutheran form of worship was introduced in 1520 without the bishop's persecution of the innovators. When the cathedral canons upbraided the bishop for his leniency, he laconically replied that Luther based his doctrines on the Scriptures, and that whosoever felt himself capable of refuting them was welcome to undertake the job.⁶⁰ Other West Prussian cities, too, felt the force of the new movement, and responded to it in varied degrees. The Reformation struck roots into the West Prussian soil so deeply that even the vigorous suppression of it in Danzig in 1526 and the following reaction through West Prussia were unable to exterminate it.⁶¹

The attitude of the West Prussian cities toward the Reformation exerted a strong influence on the Duchy of East Prussia, since 1466 a vassal principality of Poland.⁶² In 1525, the year when the Reformation resulted in most far-reaching changes in Danzig, Albert Hohenzollern, Grand Master of the Order of the Teutonic Knights, left the Roman Church, accepted Lutheranism, secularized the possessions of the Order with the consent of the Polish king, and by the Treaty of Cracow of the same year became the secular hereditary ruler of the vassal Duchy of East Prussia with a right to the first seat in the Polish Senate.⁶³ The Pope and the German emperor naturally protested against this arrangement, but without any effect. Owing to the popularity of the Reformation in West Prussia and the revolution it caused in the city of Danzig, and fearing that a refusal to grant Albert's request might lead him to bring to a head the reform movement in the whole of Prussia and possibly tear the whole Prussian territory away from the kingdom, Sigis-

Acta Tomiciana, vol. v, fol. 284, ff., and in Friese, Beiträge zur Reformationsgeschichte in Polen, vol. ii, No. 1, p. 36. See Appendix, No. 4.

⁶⁰ Krasiński, vol. i, p. 81.

⁶¹ Ibid., vol. i, p. 81.

⁶² R. N. Bain, Slavonic Europe, Cambridge, 1908, pp. 24-25.

⁶³ Ibid., p. 59; Lewinski-Corwin, pp. 131-133.

mund I preferred to sanction the arrangement described above even at the risk of being suspected of disloyalty to the Church of Rome.⁶⁴ In accordance with the agreement made with the Polish crown, Duke Albert commanded, by an edict issued July 6, 1525, that the Holy Gospel, the word of Christ, pure and simple, be preached in his possessions "under the penalty of exile."⁶⁵ At the same time he made every effort to evangelize the population of the Duchy. For this purpose he secured through Bishop Speratus of Pomerania the publication at Wittenberg of Luther's Shorter Catechism. A copy of this catechism he sent in 1531 by Nipczyc to Chojnicki, archdeacon of Cracow, who read it eagerly.⁶⁶

The introduction and legalization of the Reformation in East Prussia, one of Poland's autonomous provinces, exerted a potent influence in favor of the movement's spread in other parts of the country. Duke Albert became a patron and promoter of the new movement. He established in Königsberg a press, from which thousands of Polish religious pamphlets and books were issued, and a university, in which several generations of Polish Protestant ministers received their education. Thus East Prussia became a place of refuge for reformers and adherents of the new faith, persecuted in other parts of Poland, as well as a training ground for Polish Protestant clergy, and a source of Polish Protestant literature.⁶⁷

In the neighboring Duchy of Mazovia the Reformation did not make much progress. Yet even here it evidently met with some success; for Duke Janusz of Mazovia felt it to be necessary to issue in 1525 at a council assembled in Warsaw an edict, forbidding, under penalty of death and confiscation of all property for the benefit of the ducal treasury, the possession and reading of Luther's writings in whatever lan-

⁶⁴ Theiner, *Vetera Monumenta Poloniae et Lithuaniae*, vol. ii, fol. 429; Lewinski-Corwin, p. 132; Bain, p. 59.

⁶⁵ J. Janssen, *History of the German People*, vol. v, pp. 114-115.

⁶⁶ *Urkundenbuch zur Reformationsgeschichte des Herzogthums Preussens*, Leipzig, 1890, vol. i, p. 337; vol. ii, p. 289.

⁶⁷ Zakrzewski, p. 28.

guage, the teaching of his doctrines, or any discussion of them with anyone.⁶⁸

Owing to the close proximity of Great Poland to Saxony and Wittenberg, Luther's reforms reached it quickly. In 1524 King Sigismund found it necessary to dispatch a special emissary in the person of Nicholas Tomicki, starosta of Kościan, to the town of Kościan to suppress the spread of heretical views there, and to call upon the town authorities to assist Tomicki in his mission in every way possible.⁶⁹ In the city of Posen, according to Prof. H. Merczyng, Luther's doctrines were preached publicly from the pulpit of Mary Magdalene's Church by its preacher, John Seklucyan, in 1525.⁷⁰ For this offense Seklucyan was removed from his post by the magistracy of the city at the king's behest. He found a protector, however, in the powerful magnate Andrew Górka, who sheltered him in his own palace in Posen, and secured for him from the king in the course of time a position as secretary of customs in that city.⁷¹ Seklucyan remained in Posen until 1544, when he removed to Königsberg, where he was very active for a number of years in the preparation and publication of Polish Protestant literature.⁷² The Reformation found favor with and protection from some of the most powerful aristocratic families of Great Poland, like the Górkas, Bnińskis, Tomickis, Ostrorogs, and Leszczyńskis.⁷³ The German reform movement was reenforced in Great Poland by the arrival there in 1548, on their way to East Prussia, of the Bohemian Brethren, exiled from their own country. During their brief stay in Great Poland, under the protection of the Górkas, they made many friends, won a considerable following, and laid the foundation for the Bohemian Brethren Church of Great Poland. Though forced

⁶⁸ *Volumina legum*, vol. i, fol. 448, p. 223. For text see Appendix, No. 5.

⁶⁹ See Edict of Dec. 28, 1524, appendix, No. 6.

⁷⁰ *Krasiński*, vol. i, p. 83 n. Dr. Warmiński, however, claims that this date has no documentary support, that we do not know anything certain of Seklucyan until the year 1536. See his *Andrzej Samuel i Jan Seklucyan*, Posen, 1906, pp. 18-21n., 22.

⁷¹ *Krasiński*, vol. i, p. 83n.; Warmiński, p. 23.

⁷² Warmiński, pp. 19-21.

⁷³ *Smoleński*, p. 94; *Starzewski*, p. 69.

to move on by a royal decree, issued on request of the bishop of Posen, many of them returned later, when conditions had changed, and settled in Posen and other places of Great Poland. By 1557 the Bohemian Brethren had thirty churches in Great Poland, and some of the foremost families, like the Leszczyńskis, Krotowskis, Ostrorogs, Opalińskis, and Tomickis, accepted their form of the Christian faith.⁷⁴

In Little Poland, too, the Reformation was making a good deal of stir among certain classes of the population, and was creating a good deal of uneasiness among its opponents. The new ideas, soon after their appearance in Wittenberg, began also to be circulated in the city of Cracow. Luther's books were imported into the city in defiance of the Edict of Thorn, were freely circulated and read, and his doctrines were even publicly preached.⁷⁵ So popular were Luther's writings and his ideas in this city, that they caused the king, writing from Grodno, February 15, 1522, to Chancellor Szydłowiecki, to recommend to the City Council of Cracow that it diligently cooperate in the enforcement of the Edict of Thorn.⁷⁶ A little more than a year later, March 7, 1523, a new edict was issued in the city of Cracow, in which the king recognized that the penalty provided in the Edict of Thorn had failed to check the circulation of Luther's books and the spread of his teachings in the capital, and consequently made it more severe. The transgressors of the edict were to be punished not by exile, as heretofore, but by burning at the stake as well as by confiscation of their property.⁷⁷ Evidently even this edict failed to accomplish the desired object; for three months later, August 22, 1523, another royal edict appeared. This new edict provided for the search of the homes of the residents of the city of Cracow for heretical books whenever the bishop of Cracow should ask the city magistrates that such search be made. It also provided

⁷⁴ Ludwik Kubala, Stanisław Orzechowski, p. 101, n. 42.

⁷⁵ Zakrzewski, p. 24.

⁷⁶ Balzer, *Corpus juris Polonici*, vol. iii, pp. 649-650. See Appendix, No. 7.

⁷⁷ *Ibid.*, vol. iv, p. 3. See Appendix, No. 8.

for the censorship by the rector of the University of all books printed in the city or imported from abroad. Persons in whose possession heretical books were found, or publishers and booksellers who published, imported or sold heretical books, were to be punished according to the provisions of the royal edicts.⁷⁸ This edict also calls on other municipalities to adopt similar measures for the stamping out of heresy.

These royal decrees were called forth not by imaginary fear of a non-existent evil, but by actual and steady growth of the Reformation in Poland. There are a number of episcopal court cases on record of persons arrested and tried for heresy. In 1522 the parish-priest of Bienarów, near Bicz, Voyvodship of Cracow, was arrested for praising and sympathizing with Martin Luther. In 1525 sixteen persons were charged in the city of Cracow with professing Luther's teachings, breaking fast-day regulations, denying the efficacy of prayers for the dead, the existence of purgatory, and the value of confession. These persons were of the lower social class, artisans, organists, singers, etc. In the face of the severe penalties provided for such offenders by the royal edicts, all the accused naturally denied being guilty of the charges. In 1526 there were two cases of priests charged with heresy. One of these was Bartholomew, rector of the school of Corpus Christi in the suburb of Kazimir; the other Matthew of Ropczyce. The latter was sentenced to confinement in the clerical prison at Lipowiec. There was also a case of a book-dealer, called Michael, who was charged with the importation of heretical books; and one of a Bohemian blacksmith charged with denial of Christ's presence in the consecrated host. In 1530 another book-dealer by the name of Peter was charged with importing Luther's Catechism. He defended himself by stating that he possessed only six copies of it. On December 10, 1532, four influential citizens of Cracow were charged with professing Lutheranism. A similar case came up the year following. Book-dealers seem to have been the worst offenders and the hardest to deal with. In 1534 two

⁷⁸ Ibid., vol. iv, pp. 29-30. See Appendix, No. 9.

Cracovian book-dealers, Hieronimus Wietor and Philip Winkler, were charged with selling books containing Lutheran doctrines. At the same time similar books were found to be in the possession of Matthew of Opoczyn, rector of the church at Sieciechów. The most significant case on record, however, was that of James of Iłża, preacher of the Church of St. Stephen, Cracow, "*artium magistri et collegiati minoris collegii*." James started to preach Luther's doctrines openly from the pulpit of his church in 1528. When called to account for it, he denied being guilty, and his case was dismissed. But when he continued preaching the heretical doctrines publicly, he was again haled before the bishop's court. This time he was ordered to retract the Lutheran errors publicly from his pulpit. Instead of doing that James escaped to Breslau. In consequence of that he was at once adjudged and condemned as a heretic.⁷⁹

It is evident that neither royal edicts, nor episcopal court decrees were able to check the spread of the religious reform movement in Poland. The new ideas invaded even the king's court, and found followers among those nearest to the king and to the queen. Justus Decius, the king's private secretary, was an admirer of the Reformation and knew Luther personally. Francis Lismanini, an Italian Franciscan, private confessor of Queen Bona, was a most ardent promoter of the new movement.⁸⁰

The spread of the Reformation in Poland is registered not only in the royal edicts, but also in the resolutions and decrees of the ecclesiastical provincial synods. The clergy were not particularly desirous to carry on a war with the religious innovators. At the provincial synods of 1520 and 1522 the Polish hierarchy took no action whatever regarding the new movement. The synod of 1523 did not go beyond reaffirming Leo X's bull, excommunicating Luther and condemning his teaching, and repeating the king's edicts which penalized the

⁷⁹ Krasinski, vol. i, pp. 82-84, Prof. Merczyng's note.

⁸⁰ Zakrzewski, pp. 23-24, 226-227. Roman Pilat, *Historja poezji polskiej*, Warsaw, 1909, p. 30.

innovators and the promoters of innovations. Instead of fighting the new movement, the Polish clergy were ready to negotiate with the Protestants and to make concessions. In fact, they went so far as to lay before Pope Clemens VII in 1525, through a special envoy, the Primate's Chancellor Myszkowski, their hard lot, and to appeal to him to call a general synod together for the purpose of bringing about a restoration of church unity. The Pope, however, engaged at the time in a conflict with the emperor, made only promises and exhorted the Polish clergy to greater religious zeal, at the same time conferring on the primate of Poland full powers to deal with the spreading heresy as circumstances might demand, either to suppress the heresy or to absolve the heretics.⁸¹

Complying with the Pope's exhortation, the next provincial synod, assembled at Łęczyca in 1527, adopted more definite and decided measures to combat effectively the spread of the heretical movement. It resolved that every bishop in the diocese appoint an Inquisitor, selected either from the regular or from the secular clergy, who would be on the lookout for heretics, and who would report them to the bishop in order that they might be properly punished.⁸² But the synod did not stop with repressive measures. It realized the futility of repression without effective prevention. Therefore, it further resolved to improve the general intellectual character of the Polish clergy. Every bishop was to seek out expert theologians and eloquent preachers, who would be able to instruct the people and to expound to them the Scriptures in a rational and intelligent way. These were to be given appointments especially in places infected with heresy.⁸³ And that the clergy might not lack for subjects to preach upon, every clergyman was recommended to provide himself with the Scriptures, the Church Fathers, Homilies, and other similar books.⁸⁴ Then, too, the synod of that year was

⁸¹ Theiner, vol. ii, fols. 426-429; Zakrzewski, pp. 29-30.

⁸² Zakrzewski, p. 30.

⁸³ Ibid., p. 30.

⁸⁴ Ibid., pp. 30-31.

especially concerned about the atmosphere of the king's environment. It resolved that the king be requested to keep a learned preacher at court, to hear him every holy day, and especially during the sessions of the Diet. In this connection the bishop in whose diocese the Diet met was charged to appoint such a preacher for the king, in case the king failed to provide himself with one.⁸⁵ The next two synods, of 1530 and of 1532, favored the use of stern measures against the importation of heretical books and against the adherents of heretical doctrines.⁸⁶

But these synodical edicts were no more effective in checking the spread of the Reformation in Poland than were the royal decrees.⁸⁷ Instead of intimidating the adherents of the new religious movement, they stimulated them to greater boldness. In 1534 at the provincial diet of Grodzisk the nobility of Great Poland demanded books in the Polish language, particularly the Bible. Every nation has writings in its own language, it asserted; but as for us, the priests want us to be ignorant.⁸⁸

The steady growth of the religious reform movement in Poland led its opponents to the employment of extreme repressive measures. In 1534 the Polish clergy secured from the king an edict, forbidding the Polish nobility to send its youth to any seat of learning known or suspected to be heretical. Those that were at such universities were recalled. If any refused to return, they were to be deprived of all rights and privileges of citizenship. As was to be expected, the edict was ignored. Hence, in 1540, in response to an appeal from the clergy, the king issued a call on the starostas to enforce the aforesaid edict⁸⁹ and on the bishops to report any violations of it in order that the recalcitrant parties might be duly punished.⁹⁰ By a law of 1538, owing to the

⁸⁵ Ibid., p. 31.

⁸⁶ Krasiński, vol. i, p. 84.

⁸⁷ Zakrzewski, p. 31.

⁸⁸ Grabowski, p. 16; Alexander Brückner, *Dzieje literatury polskiej*. Warsaw, 1908, vol. i, p. 82.

⁸⁹ See text of the king's letter in Appendix, No. 10.

⁹⁰ Ibid., No. 11.

tendency of Germans to take up with heretical ideas, only native Poles were to be appointed to abbacies of Polish monastic institutions.⁹¹ Moreover, in 1541 the king went so far as to threaten those receiving and harboring heretical ministers with the loss of all nobility rights and privileges.⁹² And to cap the climax, in 1539, Peter Gamrat, bishop of Cracow, ordered Catherine Zalaszowska, an eighty-year old lady, the wife of Melchior Zalaszowski, a member of the Cracow City Council, to be burned, because of her opposition to the adoration of the eucharistic host. The order was carried out, and the old lady was executed.⁹³

However, this execution of Catherine Zalaszowska by the ecclesiastical authorities, and the threats of the king of 1540 and 1541, mark both the climax of the opposition and the end of the first period of the religious reform movement in Poland, the period of its early beginnings and defensive struggles. From now on the movement assumes an aggressive attitude.

Second Period, 1540-1548: Growing Aggressiveness.—By 1540 German Lutheranism in Poland became reenforced by Calvinism from Geneva. This new form of the religious reform movement recommended itself more favorably to the Poles because of its non-German origin, its recognition of laymen in church councils, and because it was considered more appropriate for a free republic.⁹⁴ Conversions to Calvinism among the higher classes in Poland became now more and more frequent. The relatives of the once famous Bishop and Cardinal Oleśnicki, the Stadnickis, the Sienieńskis, the Firleys, the Jazłowieckis, the Szafraniec family, and other aristocratic families of Little Poland became adherents of

⁹¹ *Volumina legum*, vol. i, p. 257.

⁹² Krasieński, vol. i, p. 85.

⁹³ Zakrzewski, p. 40; Warmiński, p. 10.

⁹⁴ Lewinski-Corwin, p. 139; cf. also David Hannay, *Encyclopædia Britannica*, vol. xxi, Article "Poland." Lutheranism penetrated into Poland by 1520, Calvinism by 1534, the Bohemian Brethren by 1548, and the Anabaptists by 1533, preceding the Calvinists by one year (Kubala, *Orzechowski*, p. 100, n. 23).

Calvinism.⁹⁵ The Grand Hetman of Poland, Jan Tarnowski, though not an avowed adherent of Calvinism, yet corresponded with John Calvin,⁹⁶ and openly opposed ecclesiastical jurisdiction and Rome's influence.⁹⁷ And in 1539 Calvin dedicated his Commentary on the Mass to the young Crown Prince, Sigismund Augustus.⁹⁸

From now on the religious reform movement became the most important topic of general discussion everywhere and among all intelligent classes of Polish society. The abuses, faults, and shortcomings of the church were being keenly felt and freely talked about. Questions of faith, doctrine, and church dogmas were engaging everybody's attention, and were discussed on every occasion and at every opportunity. They constituted the main topic of conversation, and sometimes of heated discussion, at dinners, feasts, and social gatherings, particularly if members of the clerical profession were present.⁹⁹

This general interest of the intelligent classes of the Polish people in the Reformation and the free discussion of the very fundamentals on which the existing ecclesiastical system rested were creating a great deal of uneasiness among the higher clergy, and caused them to put forth still more determined efforts in defense of the old faith and the old form of worship, not altogether from religious motives but also from economic and social considerations. The new movement was undermining their material resources as well as their social position and influence.¹⁰⁰ Every effort must, therefore, be made and every means employed to check this movement, if such a thing were possible. Thus at the Synod of Piotrków in 1542 the clergy resolved to demand of the king a strict enforcement of the royal edicts against heresy. It resolved, also, to forbid parents to send their children to

⁹⁵ See Starczewski, pp. 84-131.

⁹⁶ *Reformacja w Polsce*, vol. i, No. 1, pp. 65-67.

⁹⁷ Starczewski, pp. 105-106; L. Kubala, Stanisław Orzechowski, pp. 31-33.

⁹⁸ Zakrzewski, p. 41.

⁹⁹ *Ibid.*, p. 44.

¹⁰⁰ *Ibid.*; Smoleński, p. 103.

heretical schools; to prohibit the reading of heretical books, which many were doing under the pretense of trying to qualify themselves to refute the heresy; to search homes for heretical writings; to enjoin the local authorities to keep a close watch over the booksellers and printers; to seize suspected works; and to punish all transgressors immediately and without delay. The synod of 1544 reaffirmed the stand of the church on these points, taken at the synod of 1542. All these decrees remained largely ineffective, for they needed for their enforcement the cooperation of civil authorities, which, however, could not now readily be obtained, since all the royal edicts and the synodical decrees against heresy violated constitutional rights granted the nobility in the fifteenth century.¹⁰¹ The synod of 1547 was, therefore, forced to acknowledge the powerlessness of the church to cope with the new movement, and to admit that in many dioceses of Poland even the clergy were seriously affected by the spreading heresy, and that the church was in imminent danger of being swamped by it.¹⁰²

The futility of the decrees of the synod of 1542 becomes still more apparent in the light of the stand of the Polish nobility at the Diet of Cracow the following year. Open aggressiveness and sympathy with the Reformation is here in evidence. The nobility demanded of the king at this Diet and secured (1) the retention within the country for purposes of defense against foreign aggression of the annates paid to the Pope, and (2) the revocation of the unconstitutional edict of 1534, reaffirmed in 1540, forbidding Polish citizens to study, or to educate their children abroad in universities infected with heresy. In compliance with the urgent request of the senators and the deputies the king agreed to send an embassy to the Pope with a petition, which was more a notification than a request, that the annates be allowed to be retained in the country; and should the Pope refuse to agree to that, he was to be at once notified that the annates would

¹⁰¹ Krasiński, vol. i, p. 85.

¹⁰² Ibid., vol. i, p. 86.

not be allowed to be given or exported from the country any more.¹⁰³ As to the second point, the edicts forbidding Polish citizens to visit certain places abroad were abrogated, and they were again given full liberty to visit foreign countries for any purpose whatever, provided they were not accompanied by a military retinue, or went to engage in war. But, returning, they were not permitted to import heretical books, or to disseminate among the common people doctrines not accepted by the Roman Catholic Church. Whoever should be found guilty of this offense, was to be prosecuted according to the laws of the kingdom against heretics.¹⁰⁴ This measure reveals a recognition on the part of the king of the impossibility of restraining anyone from personally accepting the new teaching, particularly any of the nobility. The only thing it seeks to guard against is the public dissemination of the new teaching among the common people.

These significant gains stimulated the adherents to the Reformation and its sympathizers to greater and more open activity. The new movement, as has already been noted, had penetrated even into the royal court, and had found followers among those nearest to the king. The environment of the Crown Prince had been strongly saturated with the new ideas, and every effort was made to win the young prince over to the new cause. Two of his preachers began openly to denounce the abuses of the church. They were John Koźmiński, known also as Cosminius, and Lawrence Prasznicki, called also Prasnicius and Discordia. The latter became very well known among the Protestants later on.¹⁰⁵ Their first public attacks on the church and demands for reform were naturally of a general character, and that enabled them to continue their activity at court for some time.

At this time the Protestants began to appeal to the masses

¹⁰³ Quoted by Zakrzewski from the Crown Register for 1543, as the Constitution in the *Volumina legum*, vol. i, fol. 566 ff. omits that particular provision. See Zakrzewski, pp. 240-241. First instance of the use of Polish. See Appendix, No. 12.

¹⁰⁴ Zakrzewski, p. 241. See text in Appendix, No. 12.

¹⁰⁵ *Ibid.*, p. 47.

of the nation through religious literature, published in the vernacular. The works of Andrew Samuel appeared in the Polish language, and other heretical books, likewise in the language of the people, were freely imported and circulated. Moreover, there were now within the country men who wrote in the spirit of the Reformation in Polish, and had their writings printed. Nicholas Rey, the father of Polish literature, published his first satirical work in 1543. It consisted of a conversation, in which a gentleman, a bailiff, and a priest participated, and in which the author severely rebuked the cupidity of the clergy and the folly of the people for regarding their payment of tithes as the essence of morality and religion and for relying on that for their salvation, while at the same time he pointed out the essential character of faith. The same year there appeared anonymously from the press in Cracow the first Polish catechism published in Poland, in which the new reform doctrines were taught, and which contained also some of Rey's verses. Other of Rey's writings followed in 1545, 1546, and 1549. In all of these the writer championed the new doctrines, at first cautiously, but later quite frankly. In 1544 John Seklucyan published his Confession of Faith, and somewhat later his Polish translation of the four Gospels appeared¹⁰⁶ in Königsberg.

This new kind of appeal of the reformers to the people caused the king to issue from Brześć in Lithuania, July 10, 1544, a threatening mandate to the starostas, stirring them up to vigilance and to a strict enforcement of the law. Whoever dared to import, sell, buy, possess, or read such books was to be punished by death.¹⁰⁷

¹⁰⁶ Alex. Brückner, *Mikołaj Rej*. Lemberg, 1922, pp. 17-25; *Dzieje lit. pol.*, Warsaw, 1908, vol. i, p. 102; Zakrzewski, pp. 48-49.

¹⁰⁷ Zakrzewski, p. 242; for text, see Appendix No. 13. It is of considerable interest to note the various royal and ecclesiastical measures of Sigismund I's reign against the Reformation. In 1520, by the Edict of Thorn, the importation and sale of Luther's works was prohibited; in 1523 censorship and search of residences was introduced; in the same year the heretics of Łęczyca were excommunicated, and in 1527 the synod of Łęczyca renewed the Inquisition; in 1534 the Poles were forbidden to resort to foreign educational institutions; in 1541 the Polish nobles were forbidden to

This mandate was the last of the repressive measures issued by the old king against the Reformation. Owing to his age and without doubt also to a growing conviction of the futility of an attempt to stem the tide of ideas and convictions, especially in the realm of religion, he ceased to combat the movement with edicts and mandates. In this period of relative quiet the reform forces gathered new strength and courage for their great activity in the following reign.¹⁰⁸ This inactivity on the part of the king gave rise to rumors among the opponents of the Reformation that the king was favoring the spreading heresy. These rumors were given color by the king's Order to the Starostas, issued in Cracow, August 9, 1546, to forbid Polish citizens in the king's name to take part on either side in the religious war which had broken out in Germany at this time.¹⁰⁹ This order was issued by the king in spite of the fact that Paul III, in a letter, dated July 3, 1546, had urged Sigismund I to take an active part in that war on the side of the forces defending the cause of the church.¹¹⁰

At this time too, the reform movement began to make an open breach in the ranks of the Roman clergy. The first notable case was that of John Łaski, known also as John a Lasco, a nephew of the famous Primate of Poland of the same name. John Łaski had spent a number of years in studies abroad, had come into personal touch with the reformers of Wittenberg and Geneva, had accepted the Reformed faith, and in 1542 resigned his prebendary of Gnesen.¹¹¹ In 1541 Andrew Samuel, a Dominican monk, brought

harbor heretics under penalty of deprivation of nobility rights; and in 1544 the Polish clergy abroad were ordered to return home under penalty of deprivation of their benefices (Kubala, Stanisław Orzechowski, p. 100, n. 22).

¹⁰⁸ Zakrzewski, p. 49.

¹⁰⁹ Crown Register, Bk. 70, ZF. fol. 643, cited by Zakrzewski, pp. 242-243.

¹¹⁰ Raynold, *Annales Ecclesiastici ad annum, 1546*, No. 97, cited by Zakrzewski, p. 243.

¹¹¹ Alex. Brückner, *Różnowiercy polscy*, Warsaw, 1905, p. 7 ff.; John Fijałek, in *Reformacja w Polsce* (Reformation in Poland), Quarterly of Reformation Historical Society, Warsaw, 1922, Nos. 5-6, p. 1 ff.; Dalton, John a Lasco.

to Posen by Bishop Branicki, a preacher at Mary Magdalene's Church and a very learned man and an eloquent speaker, became a Protestant. In 1543 another Dominican monk, John Seklucyan, through whose influence Samuel had been led to accept the new teaching and to preach its doctrines openly, broke with the Church of Rome, and became very active in developing a Polish Protestant literature under the protection and with the aid of Duke Albert of East Prussia.¹¹² In 1544, again, Stanislaus Lutomirski, a parish priest of Konin, became a Calvinist.¹¹³ Lutomirski's example led Felix Krzyżak, known also as Cruciger, prebendary of Niedźwiedź, to embrace Calvinism in 1546, and through his influence the magnate Stanislaus Stadnicki was induced to do the same thing. In 1547 James Sylvius, prebendary of Chrzęcice, in the possessions of the Filipowskis, also went over to Calvinism.¹¹⁴

Moreover, the close contact of the court clergy, in great degree liberal in matters of religion, with the patriciate of the city of Cracow, for years favorably disposed toward the new religious movement, helped to promote the spread of the new doctrines. Beginning in 1545, frequent secret meetings for purposes of religious and theological discussions were held in the home of the nobleman John Trzycieski, in which members of the upper social classes, the town patriciate, the neighboring szlachta, the court clergy, the canons of the cathedral chapter, and the king's secretaries participated. Of the townspeople we know the name of one, Wojewódka; of the szlachta, we know names of Trzycieski, Karmiński, James Przyłuski, Filipowski; of the clergy, Francis Lismanini, James Uchański, Zebrzydowski, Adam Drzewicki, and Leonard Słoneczewski. The last three became bishops later on, and one of them, Uchański, archbishop and primate of Poland, a strong advocate of a Polish National Church. The promoter and leader of these secret meetings was Francis

¹¹² Warmiński, pp. 3 ff., 42 ff.

¹¹³ Zakrzewski, p. 50.

¹¹⁴ Ibid., p. 53.

Lismanini, a Franciscan monk and private confessor of the queen. It was chiefly he who procured and distributed heretical books among the members of this select group, and spread the new religious ideas among his monastic brethren. In these meetings outside visitors, stopping temporarily in the city, also participated. Imbued with the new spirit, the clerical visitors carried the new doctrines wherever they went, and preached them to their hearers.¹¹⁵ Similar meetings were being held in Posen, of which Samuel and Seklucyan were the product.¹¹⁶

The growing interest on the part of the people in the Reformation, the aggressive character of the movement, and the increasing defections among the clergy created consternation among the Polish bishops. These high church dignitaries began now to feel that it was not safe any more to rely on the lower clergy. The synod of 1547, therefore, charged the bishops not to allow any priest to preach without a special permit from the bishop of the given diocese. Bishops that were careless in observing and enforcing this synodical ruling were to be fined 100 "grzywień."¹¹⁷

Third Period, 1548-1573: Triumph and Dominance.—As the Reformation in Poland was steadily gathering strength and growing in influence, King Sigismund I died on Easter Sunday, April 1, 1548, and was succeeded by his son Sigismund Augustus, crowned since 1530 to succeed his father as king of Poland. Sigismund Augustus was a truly religious man, believing sincerely in the fundamentals of the Christian religion, but indifferent to the forms in which they were to be expressed. He adhered to the Church of Rome as the state church in which he had been brought up and to whose forms of worship he had become accustomed. At the same time he associated closely with Protestants, read Protestant books, and took part in discussions on theological questions.

¹¹⁵ Ibid., pp. 52-53; Roman Pilat, *Hist. poezji pol.*, p. 30.

¹¹⁶ Warmiński, p. 17.

¹¹⁷ Zakrzewski, p. 53.

Calvin, as we have seen, had dedicated his Commentary on the Mass to him. Among his closest and most intimate friends were Protestants like Nicholas Radziwill the Black, grand hetman of Lithuania and brother-in-law of the young king, and Francis Lismanini, at one time private confessor of the king's mother.¹¹⁸

It is not to be wondered at, therefore, that the Roman See and the Polish clergy were considerably apprehensive of the future of the Catholic Church in Poland, while the Protestants, on the other hand, looked forward with confidence, counting on the support of the young king. Just as soon as the news of the death of the old king reached the Pope, he at once dispatched to Poland a legate in the person of the Abbot Hieronimus Martinengo to carry to the young king his condolences, his congratulations, and his apostolic blessing, and to secure from him assurances of his loyalty to the Church of Rome and of his purpose to follow, in religious matters, in the footsteps of his father. The nuncio arrived in Poland in August, 1548. The king received him cordially, assured him of his respect for the Apostolic See, and advising him not to wait for the meeting of the next Diet, dismissed him.¹¹⁹

The Protestants, too, became now very active, preaching their doctrines openly, and holding services on the estates and in the villages of the *szlachta*. Their forces were strengthened by the arrival in Poland in the summer of 1548 of the Bohemian Brethren. They had been expelled from Bohemia and were on the way to East Prussia, where they were offered the hospitality of Duke Albert. On their arrival in Posen, they were cordially received by the Starosta-General of Great Poland, Andrew Górká, castellan of Posen. During their stay in Posen they preached publicly, and found many followers.¹²⁰ Ordered by the king, at the request of Bishop Idźbieński of Posen, to move on, they left; but their brief

¹¹⁸ Ibid., p. 56.

¹¹⁹ Theiner, vol. ii, folios 560, 561, 563-565.

¹²⁰ Zakrzewski, p. 59.

stay prepared the ground for future work, and established connections which enabled them to return later on.¹²¹

Scarcely had the bishop of Posen freed the city of the Bohemian Brethren, when he had a new case of heresy to deal with. The prebendary of St. John's, Andrew Prażmowski, began to preach Calvinistic doctrines from the pulpit of his church. The bishop drove Prażmowski out of his diocese. However, this did not stop Prażmowski's activity as a Calvinistic preacher. Finding refuge in Radziejów, Kuyavia, and protected there by the powerful magnate, Raphael Leszczynski, voyvoda of Brzezść and starosta of Radziejów, he prepared there the ground for the spread of Calvinism, and laid the foundation for the establishment of the Calvinistic Church in this voyvodship.¹²² The same thing was happening in Little Poland, where Lismanini, though now under the ban of the bishop of Cracow, was nevertheless very active, spreading Calvinistic doctrines. Catholic priests one after another began now to leave the Church of Rome, to preach the Reformation doctrines, and to reorganize their churches and the form of worship by doing away with the mass and with pictures and by introducing the cup at communion.¹²³ Moreover, the aristocracy openly encouraged the spread of Protestantism in their possessions. Calvinistic churches sprang up at Alexandrowice of the Karmińskis, at Chrzęcice of the Filipowskis, at Pińczów of the Oleśnickis, and at Secynin of the Szafranec family.¹²⁴ Karmiński and Filipowski had been members of the secret circle in Cracow, meeting for purposes of discussion of the new ideas.

At the Diet of Piotrków, 1547-1548, the szlachta had in the very first article demanded the preaching of the pure word of God without any human or Roman admixtures. All this, however, had been done rather quietly as yet. But now at the very first Diet, called by the new king to meet in Piotrków again in 1548, questions of religious reform were brought boldly to the front. The szlachta demanded freedom

¹²¹ Ibid., p. 60.

¹²² Ibid.

¹²³ Ibid.

¹²⁴ Ibid.

to speak of God freely in every place, which thing the clergy forbade. But when the issue was raised in the Senate, the king replied that to speak of God was the prerogative of the clergy, and that he would follow them.¹²⁵

To such an extent had the reform movement spread, that it became necessary for the Calvinists of Little Poland to establish a better church organization. In effect they held the first synod in 1550 at Pińczów, in the possessions of Nicholas Oleśnicki, a descendant of the famous Bishop and Cardinal Zbigniew Oleśnicki. Shortly thereafter they appointed Felix Krzyżak (Cruciger) of Szczepleszyn as superintendent of the Reformed Churches of Little Poland.¹²⁶ At the same time the clergy of the Roman Church were becoming more and more restless. Stanislaus Orzechowski, a canon of the cathedral chapter of Przemyśl and a man of noble rank, came out with denunciations of the evils of the church and with threats of marriage. Immediately a number of priests, Martin of Opoczyn, Martin Krowicki, Valentine, prebendary of Krzczonów, and others, proceeded to take wives unto themselves. In spite of their marriages, some of them still held to their charges, and argued for a married clergy.¹²⁷ Leonard Słończewski, who had openly criticized the Pope and the clergy while preacher of St. Mary's, Cracow, now bishop of Kamieniec, preached against Peter's primacy, the celibacy of the clergy, and their loose moral lives.¹²⁸ Maciejowski, bishop of Cracow, though by no means a supporter of the Reformation, yet favored certain reforms, like the cup at communion and a married clergy. Francis Stankar, professor of Hebrew in the University of Cracow, propounded views of the Trinity which were contrary to those held by the church. When charged with heresy and arrested by the bishop, he escaped with the help of the neighboring szlachta, found refuge at Dubieck in the possessions of the magnate

¹²⁵ Brückner, *Dz. lit. pol.* vol. i, p. 102; Zakrzewski, p. 246, n. 11a.

¹²⁶ Jos. Łukaszewicz, *Dzieje kościołów wyznania helweckiego*, Posen, 1853.

¹²⁷ Kubala, Orzechowski, pp. 28-37; Zakrzewski, p. 65.

¹²⁸ Brückner, *Dz. lit. pol.*, vol. i, p. 102.

Stanislaus Stadnicki, established a school there with five teachers, and continued to disseminate his ideas.¹²⁹

This state of affairs stirred up the bishops to action. John Dziaduski, bishop of Przemyśl, having previously warned Orzechowski, who had married in spite of the warning, proceeded to try him along with some of the other married priests; but fearing interference from the szlachta, he condemned them in their absence without a hearing. Andrew Zebrzydowski, bishop of Cracow, summoned Conrad Krupka to justice; and when Krupka appeared accompanied by a number of friends, the bishop refused to hear him, and condemned him as a heretic without a trial. Orzechowski being a nobleman, his verdict had to be confirmed by the king before it could be executed. The king confirmed the verdict, and forwarded it to Kmita, starosta of Przemyśl for execution. Orzechowski was to be deprived of honor, his possessions were to be confiscated, and he was to be exiled. But Kmita, knowing the feeling of the szlachta in this matter, would not execute the verdict.¹³⁰

In the ecclesiastical attack on Orzechowski, the szlachta saw an attack upon its own special privileges. When Orzechowski appealed his case to the Diet in 1550, the Diet took it up readily. The matter created such a commotion as to cause the Diet to break up without any results.¹³¹ Instead of taking due warning, the bishops proceeded to exercise their authority in a still more high-handed way. In 1551 the bishop of Przemyśl condemned the magnate Stanislaus Stadnicki for protecting heretics. He did this in Stadnicki's absence, without a trial, and against the protests of Stadnicki's attorney. The Primate of Poland, Dzierzgowski, archbishop of Gnesen, showed his zeal by condemning as heretics Christopher Lasocki and James Ostrorog, two of the most powerful and distinguished magnates of Great Poland. In all these cases the bishops did not fail to declare distinctly that all the property of a condemned heretic was subject to

¹²⁹ Zakrzewski, p. 61.

¹³⁰ Kubala, p. 30.

¹³¹ Zakrzewski, p. 61.

confiscation.¹³² The Polish szlachta, regardless of religious affiliation or sympathies, rose almost to a man in most indignant protests against such high-handed usurpation of power on the part of the hierarchy and against such brutal attacks upon their most fundamental rights. At the provincial diets in the fall of that year, at which delegates were chosen to the next Diet, the szlachta voiced their indignation against the clergy, and instructed the chosen deputies to the Diet of 1552 to protest against ecclesiastical jurisdiction and to demand its abolition.¹³³

The Diet of 1552 met at Piotrków toward the end of January. The Chamber of Deputies elected as its president Raphael Leszczyński, starosta of Radziejów, an avowed Calvinist, who during the mass at the opening of the Diet stood in the church with his head covered. He was the chief spokesman of the injured and aggrieved szlachta. When the Chancellor had finished reading the appeal from the throne to consider problems of defense, Leszczyński rose in the name of the Chamber and the szlachta, stating that the Chamber would take no action on any matter until the grievances of the szlachta, arising from the abuse of ecclesiastical jurisdiction were removed. In this attitude the Protestants were supported even by loyal Catholics. In the ensuing debate the bishops were left without any support. The secular senators, among whom were several very influential Protestants, sided with the Chamber of Deputies. The leaders of the opposition to ecclesiastical jurisdiction were: in the Senate, John Tarnowski, castellan of Cracow and grand hetman of Poland, a loyal Catholic; in the Chamber, Raphael Leszczyński, starosta of Radziejów and president of the Chamber, an ardent Calvinist.¹³⁴ The struggle resulted in the suspension of ecclesiastical jurisdiction for a year, the szlachta agreeing to pay the customary tithes, the payment of which had in many instances already been stopped.¹³⁵

¹³² Ibid., pp. 65-66.

¹³³ Ibid., p. 67.

¹³⁴ Kubala, pp. 31-32.

¹³⁵ Ibid., pp. 35-37; Zakrzewski, p. 69.

From 1552 to 1565 the Protestants dominated all the Diets, electing invariably a Protestant as president of the Chamber of Deputies.

The united opposition of the Polish szlachta to the Polish clergy in 1552, the election of an avowed Protestant to the presidency of the Chamber in that year, and the actual, even though temporary, suspension of ecclesiastical jurisdiction,—all this had a most stimulating affect on the religious reform movement in Poland. Felix Krzyżak and Francis Stankar, who had fled to Great Poland from the persecution of Bishop Zebrydowski in 1551 and had found protection at Ostrorog in the possessions of Stanislaus and James Ostrorog, returned now to resume their work in Little Poland.¹³⁶ For this they were now all the better qualified as a result of their acquaintance with the work of the Bohemian Brethren in Great Poland. They began to hold conferences and synods, thereby stimulating the interest and enthusiasm of the Protestants in the reform movement. The Protestant nobles, having the right of recommending candidates for vacant churches within their possessions, made now direct appointments of men sympathetic with the reform movement. In this way into many of the churches the new form of worship was introduced. At the same time many of the nobles began seriously to question the fundamental right of the clergy to tithes, and stopped payment, even though they had agreed in 1552 to continue this practice.¹³⁷ They took these bold steps, believing that the young king was with them. They drew that inference from the king's close intimacy with Lismanini, who was now an avowed Calvinist, and with others equally well known for their heretical sympathies and contacts.¹³⁸

This growing boldness and aggressiveness of the Protestants provoked the clergy to renewed defensive and offensive activity. At the synod of Piotrków in 1554 the clergy were seriously inclined toward conciliatory measures, and after

¹³⁶ Zakrzewski, p. 69.

¹³⁸ *Ibid.*, p. 70.

¹³⁷ *Ibid.*, p. 71.

a long debate, finally resolved to invite the dissidents and schismatics to the next synod in an effort to reconcile them with the Mother Church.¹³⁹ But they did not stop with that. They further resolved to appeal to the Pope for help; they requested the Vatican to send special legates to Poland to assist the Polish clergy in their struggle against the spreading heresy, and since the agreement of 1552 was now expired, they began to make fresh use of their ecclesiastical jurisdiction. The first one to set the example again was the archbishop of Gnesen, Dzierzgowski, and his first condemnatory verdict fell on Stanislaus Lutomirski, who had left the Church of Rome twelve years before by accepting Calvinism. Here was another clergyman of noble rank condemned by an ecclesiastical tribunal as a heretic, and thus deprived of honor, property, and country. The next one to exercise his jurisdiction was the bishop of Posen, Czarnkowski, who rendered verdicts of heresy against several citizens of that city. Dzia-duski, bishop of Przemyśl, continued persecuting heretical preachers in his diocese. These episcopal condemnations, however, were of no effect; for the condemned persons always found protection in the possessions of some powerful magnate, in whose territory only his own jurisdiction prevailed. In consequence of this the bishops resorted sometimes to violence in order to execute their verdicts, though not necessarily with more success. Bishop Zebrzydowski of Cracow, for instance, summoned before his episcopal tribunal Martin Krowicki, who having become a Calvinist, married, left the priesthood, and was residing at Pinczów, in the possessions of Stanislaus Oleśnicki. When Krowicki did not appear, the bishop condemned him without a trial, and planned to seize him by strategy. Krowicki was taken violently, thrown into a wagon, and carried away to the bishop's prison. But when Oleśnicki was informed of what had happened, he set out in pursuit of Krowicki's captors, overtook them, drove them away, and rescued the victim.¹⁴⁰

¹³⁹ Ibid., pp. 72, 251; Eichhorn Hosius, vol. i, p. 212.

¹⁴⁰ Zakrzewski, pp. 72-73.

While the bishops were vainly prosecuting and persecuting the heretics, the Protestants were steadily strengthening their ranks by perfecting their organization and by effecting a very important union of the Calvinists with the Bohemian Brethren of Great Poland. During his temporary retreat in Great Poland in 1551, caused by Bishop Zebrzydowski's persecution, Felix Krzyżak, superintendent of the Calvinistic churches of Little Poland, became acquainted with the Bohemian Brethren there, and invited them to unite with the Calvinists of Little Poland. After two preliminary conferences between the representatives of both groups, one held in Little Poland at Chrzęcice, in the possessions of Filipowski, and another in Great Poland at Gołuchow, in the possessions of Raphael Leszczyński, a Protestant synod was called together to meet at Koźminek, near Kalisz, in August, 1555, at which time a union between the two above mentioned bodies was effected. The basis of agreement was that each body retain its separate organization and its form of worship, while both were to work toward gradual uniformity in both respects.¹⁴¹

The growth of Protestantism and the development of opposition had made the religious question exceedingly acute, and placed it at the Diet of 1555 in the very forefront of problems calling for immediate settlement. The importance of this question was fully recognized by the king himself, who had placed it among the matters to be discussed. Encouraged by the gains made at the Diet of 1552 and provoked by the high-handed repressive measures employed by the bishops, the Protestants planned to make a still more determined stand at this Diet against ecclesiastical jurisdiction. At the provincial diets they chose, therefore, some of the most powerful magnates and most ardent Protestants, like Leszczyński, Ostrog, and Marszewski of Great Poland, and Ossoliński, Sienicki, and others of Little Poland, as deputies of the Chamber.¹⁴² The bishops, realizing the seriousness of the impending

¹⁴¹ Łukaszewicz, *Dz. kośc. helw. w Małopolsce*, pp. 20-44.

¹⁴² Zakrzewski, p. 75.

ing conflict, came out in force, and were ready to make concessions, if need be.¹⁴³ The Diet, called for the 22nd of April, 1555, met in first session on the 28th. As could have been expected, the Chamber again chose a Protestant for its president in the person of Nicholas Siennicki. In his speech of welcome to the king on behalf of the Chamber the next day, Siennicki stated the wishes of the szlachta. In brief, they wanted the abolition of ecclesiastical jurisdiction and full religious liberty. A project of adjustment was, therefore, worked out, having the full approval of the king and the secular members of the Senate, providing: (1) that everyone be at liberty to keep at home or at his church such clergymen as preached the pure Word of God; (2) that these be free to follow their own ritual and ceremonies; (3) that those wishing it be allowed to have the communion administered in both kinds; (4) that priests deprived of their benefices have them restored for the length of their lives, whereupon the lords were to be free to choose such priests as they might wish, or, where the former incumbent was already dead, the nobles could do as they pleased; (5) that all episcopal judgments in religious matters against whomsoever issued be declared null and void; (6) that the clergy be free to marry; (7) that all the clergy, whatever their rank, be declared entitled to their former incomes, according to old customs; (8) that blasphemy against the Trinity and the Eucharist as celebrated by the Roman Church, attacks upon the form of worship of that church, and forcible conversions of Catholics be prohibited; and (9) that all these provisions have the approval and guaranty of the king and be made binding until the restoration of universal peace either by a national or a provincial synod.¹⁴⁴

By this document Protestantism in Poland would have been placed on a basis of full equality with the Roman faith. But when this bill was presented to the bishops, they promptly rejected it. Thereupon new plans of adjustment were worked

¹⁴³ Ibid., pp. 75-76.

¹⁴⁴ Ibid., pp. 80-81.

out one after another only to be rejected by the bishops. Finally, it was resolved that the king call together on his own authority, at a time most convenient in his judgment, a synod at which the king himself with his council of state should be present. Until then peace should be preserved in the country; ecclesiastical jurisdiction against whomsoever was to be suspended; the execution of all pending ecclesiastical judgments was to be abandoned; and people were to refrain from all blasphemies and disturbances growing out of religious differences.¹⁴⁵ The bishops, however, remained inflexible; they would not yield an inch in spite of the fact that they had considered making concessions. They protested against the suspension of their ecclesiastical jurisdiction, and through the archdeacon of Kalisz, Francis Krasiński, appealed to the Pope for counsel and for help.¹⁴⁶

Nevertheless, in spite of the bishops' protests, the decision of the Diet prevailed and remained in force. By it ecclesiastical jurisdiction became suspended until the meeting of a National Synod to be called together at a convenient time by the king, and Protestantism was for the time being legally recognized, receiving full freedom of worship and the legal right to all the church property already in the hands of Protestants. It was not as much as the Protestants had hoped to gain; nevertheless it was a considerable advance and a marked victory for them.

In accordance with his agreement to call a National Synod together to settle the existing religious differences, the king took steps to secure the Pope's sanction of this move and of several contemplated reforms. He sent Stanislaus Maciejowski, castellan of Sandomir and crown court marshal, to Rome with congratulations to the new Pope, Paul IV, and with the request for his sanction of the following proposed reforms:

1. The mass and all church services to be held in the Polish language;
2. Communion in both kinds;

¹⁴⁵ Ibid., pp. 91-92.

¹⁴⁶ Theiner, vol. ii, fols. 576, 577; Zakrzewski, pp. 92-93.

3. A married clergy; and

4. The calling of a National Synod to settle the existing religious differences and troubles.

The Pope was astonished at the request, and refused to sanction the suggested reforms absolutely. To the fourth point he acceded, but never really intended to keep his promise.¹⁴⁷

The nature of the proceedings and the decisions of the Diet of 1555 and the proposed religious reforms for which the Polish king asked papal sanction caused the Apostolic See a good deal of concern, and led the Vatican to send at once Louis Alois Lippomano, bishop of Verona, as special legate to Poland. From this time on the Apostolic See kept a special envoy in Poland constantly to watch the course of events. Lippomano was a man without tact, and not at all particular in his choice of means to accomplish his objects. His reputation had preceded him, and his arrival in Poland in October, 1555, stirred up the Protestant element in the population to great indignation. The king received him cordially. But owing to his lack of tact, Lippomano soon lost the king's favor, and won the ill-will even of good Catholics.¹⁴⁸

To mend matters, the legate started to exert his influence first on those nearest to the king. He wrote a letter to Nicholas Radziwill the Black, palatine, chancellor, and grand marshal of Lithuania, the most powerful magnate in the Grand Duchy, an ardent Calvinist, whose zeal contributed greatly to the spread of Protestantism in Poland as well as in the Grand Duchy. In this letter Lippomano endeavored to win and convert Radziwill to the Church of Rome. Radziwill, however, could not be won back to the Roman Church. He replied, exposing the unfavorable character of the Catholic clergy, and let this correspondence be published. The publication of this correspondence made Lippomano still more

¹⁴⁷ Zakrzewski, pp. 94-95.

¹⁴⁸ Ibid., pp. 96-97.

unpopular in Poland, and changed completely whatever friendly attitude the king may have had toward him.¹⁴⁹

Having failed at court, Lippomano turned now to the bishops to arouse their loyalty and to rekindle their zeal. But here, too, he failed to meet with better success. Many of the bishops were ready to capitulate and to negotiate with the szlachta in order to save their bishoprics and their incomes. Some of them, like Drohojowski, bishop of Kuyavia, and Uchański, bishop of Chełm, were actually favorably disposed toward the reform movement. Others, again, like Zembrzdowski, bishop of Cracow, owing to past association with the reformers, were under constant suspicion. The only men among the Polish hierarchy upon whom the nuncio could rely were the Primate of Poland, Dzierzgowski, and the bishop of Warmya, Hosius; and of these two the primate had to be largely discounted as he had neither the learning nor the ability to be of any help in such a difficult situation. The legate had, therefore, no easy sailing to find support for his plans among the Polish bishops, or to keep them from associating with heretics.¹⁵⁰

Seeing the fruitlessness of his efforts among the bishops, he turned to the lower clergy, visiting churches, holding conferences with the members of the cathedral chapters and the parish priests. Here he met with better response and greater success. He discovered that the lower clergy were both more loyal and more concerned about the real needs of the church and the remedies to correct existing evils.¹⁵¹

In this connection it is of interest to note the independence of the Polish bishops as regards their attitude toward Rome. A provincial synod under the presidency of the papal nuncio was called to meet at Łowicz on September 6, 1556. The Polish bishops wanted to confer *in corpore*, without the presence of the nuncio, and then to present to him the results of their conference and to get his opinion. The Polish bishops were opposed to permitting the nuncio to exert undue in-

¹⁴⁹ Ibid., p. 97.

¹⁵⁰ Ibid., p. 98.

¹⁵¹ Ibid., pp. 98-99.

fluence on their deliberations, and in this attitude they were supported even by Hosius, the one Polish prelate upon whom the nuncio counted most. The nuncio, however, would not consent to any such procedure in the deliberations. The disagreement became so acute that Bishop Hosius had to act as mediator between his colleagues and the legate. Since the latter would not yield, the bishops finally agreed to confer together in his presence.¹⁵²

If the results of the Diet of 1555 made the Apostolic See vigilant as regards Poland, it is not to be wondered at; for such vigilance was imperative. The Protestants were now more active than ever. The Calvinists of Little Poland energetically developed their work in all the churches occupied by them before the Diet of 1555 and acknowledged by the Diet as theirs in the royal cities, particularly Cracow and Posen, and even in the territories of the royal domain wherever Protestants were found. They founded schools at Pińczów, Secynin, and Koźminek. They were holding frequent synods, and were strengthening and perfecting their internal organization.¹⁵³ If the Calvinists of Little Poland were active, so were also the Bohemian Brethren of Great Poland. The number of their followers increased to such an extent that by 1557 a separate senior or superintendent for Great Poland was appointed by the central administrative authority in Moravia.¹⁵⁴ Moreover, to counteract Lippomano's activity, the Polish Protestants invited to Poland two distinguished reformers, Francis Lismanini and John Łaski. Both of these arrived in the country toward the end of 1556. The first, being a foreigner, the Catholics succeeded in having banished from the country by order of the king, though not until after a good deal of effort.¹⁵⁵ The second, however, being a distinguished native, could not be banished. So he stayed, and

¹⁵² Ibid., pp. 103-104.

¹⁵³ Łukaszewicz, *Dz. kośc. helw.*, pp. 247-248; *Reformation in Poland*, vol. i, No. i, pp. 15-34.

¹⁵⁴ Łukaszewicz, *O Kościołach Braci Czeskich w Wielkopolsce*, p. 49.

¹⁵⁵ Lismanini went to East Prussia, where he found protection, and whence he was sent on missions to the King of Poland by Duke Albert.

worked faithfully, though fruitlessly, for a union of the Lutherans with the other two already united Protestant bodies, the Calvinists of Little Poland and the Bohemian Brethren of Great Poland.¹⁵⁶

When the new Diet, called for November, 25, 1556, assembled in Warsaw, the Protestants were well represented in it. They came out in full force to counterbalance the presence and any possible influence of the papal nuncio on the deliberations of the Diet. The king, being in need of money for a war which was threatening with the Knights of the Sword, had to court the favor of the Chamber in order to get it to vote the necessary contributions for the conduct of the war. The pressing problems before the new Diet were, then, those of defense and of religion. According to the rescript of the preceding Diet, the problem of "egzekucji praw," or of the execution of laws, a matter similar to the English "quo warranto," which had come up for consideration at that time and had been postponed until the next Diet, was to be taken up and considered first. However, it was decided to lay this problem aside again until a more opportune time, owing to the more pressing question of adequate finances for the conduct of the coming war. The Chamber was ready to vote the necessary contribution, on condition, however, of a satisfactory settlement of the existing religious differences. Thus the religious question again became the most important, and on its solution depended the success of any program for a proper defense of the country.¹⁵⁷ But no satisfactory solution of the religious problem was in sight. The Chamber, therefore, proposed that, in case a better adjustment of the religious differences was impossible at this time, the decisions of 1555 be continued in force and be more strictly observed. The spiritual lords were most reluctant to give their assent to this proposal. The Chamber, again, threatened that it would not otherwise vote the necessary funds for the conduct of the war. Hence, the king issued

¹⁵⁶ Brückner, *Różnowiercy polscy*, pp. 74-89; Zakrzewski, pp. 99-100.

¹⁵⁷ Zakrzewski, pp. 106-107.

an edict, dated January 13, 1557, continuing the religious settlement of 1555 in force during his absence from the country, with the added provision that should anyone in any way violate those decisions, the king would regard such violations as an offense against his person and against his government, would judge the offenders in the king's courts, and would punish them according to law.¹⁵⁸ Thereupon the Chamber voted the needed contribution.

By this edict the king hoped to placate both of the contending parties. As it happened, the edict did not really satisfy either party. Consequently it was never made public, was not enforced, and was finally recalled. However, if it had been made public, and if it had been enforced, it would have done away with ecclesiastical jurisdiction; for from now on cases of heresy, being regarded as an offense against the king's person, would have been adjudicated in the king's courts rather than by ecclesiastical tribunals.¹⁵⁹

In consequence of this turn of events at the Diet of 1556-1557, the papal legate, Lippomano, immediately left Poland for Rome. There he complained of the lack of religious fervor and zeal on the part of the Polish hierarchy, attributing to their religious indifference the vigorous growth of Protestantism in Poland, and of the king that he was permitting everyone to believe and to worship as he pleased.¹⁶⁰ His complaint of the Polish bishops was not altogether groundless. How little they apparently cared for the spiritual welfare of the church is shown by their attendance at the synod of 1557, which met at Piotrków on May 17. Besides the archbishop of Gnesen, there were present two bishops only, Zebrzydowski, bishop of Cracow, and Uchański, bishop of Chełm. The other bishops were represented by their delegates. Moreover, one of the bishops present, Uchański, asked his colleagues to vote at the next Diet for the introduction into the Polish church of communion of both kinds. But the delegates of the cathe-

¹⁵⁸ For the original, see Friese, *Beiträge*, vol. ii, No. 1, p. 269.

¹⁵⁹ Zakrzewski, pp. 108-109.

¹⁶⁰ *Ibid.*, p. 109.

dral chapters opposed this suggested innovation most decidedly, and turned it down.¹⁶¹

Meanwhile the Reformation was making steady progress, not only in the possessions of the szlachta, but also in cities and among government officials. And owing to the fact that Protestants were now found among senators, starostas, royal court officials, and among the king's most intimate friends, punishment of heretics was becoming increasingly more difficult.¹⁶² In Little Poland the Calvinistic churches had become so numerous that for administrative purposes they were divided in 1560 into districts, over which superintendents were appointed both clerical and lay,—clerical, to care for the spiritual welfare of the churches, and lay, for the administration of temporal affairs. At the joint synod of the Calvinists and the Bohemian Brethren at Włodzisław, on June 15, 1557, on motion of the distinguished reformer John Łaski, it was decided that steps be taken to effect a union with the Lutherans, such as had previously been effected between the Calvinists of Little Poland and the Bohemian Brethren of Great Poland.¹⁶³

At the Diet of 1558-1559, called at Piotrków for November 20, 1558, the Protestants were again in full control, and for president of the Chamber of Deputies they again elected Nicholas Siennicki, who presided over its deliberations in 1555. The foremost problem before the present Diet was "the execution of laws," and, of course, inseparably connected with it was that of religion. Growing out of these, there were the further problems of the exemption from military service of the mayors of ecclesiastical villages, ecclesiastical jurisdiction, and the participation of the clergy in royal elections. Bishop Uchański moved in the Senate that problems of religion be set aside until the calling of a national synod, in which both the clergy and the laity would be free to participate. He argued that only such an assembly so composed

¹⁶¹ *Ibid.*, pp. 109-110.

¹⁶² *Ibid.*, pp. 110-111, 259, n. 34.

¹⁶³ Łukaszewicz, *O Kościołach Braci Czeskich*, pp. 46-48.

and gathered for that particular purpose would be able to adjust the troublesome religious differences. The Chamber was willing to set matters of religion aside until a national synod could be called together, but on condition that ecclesiastical jurisdiction, not only in matters of religion, but in all matters, with all cases pending, be suspended. Knowing the seriousness of the situation, yet very reluctant to surrender their jurisdiction, the bishops pledged themselves to use it with utmost care. But the new papal legate, Kamill, bishop of Sutri, refused to countenance any idea of calling a national synod, to which, besides the Roman clergy, the laity and the heretics would be admitted. The Chamber, on the other hand, was equally determined to do away and for good with ecclesiastical jurisdiction in all matters.¹⁶⁴

Next, in connection with the larger problem of the execution of laws, the Chamber questioned the legality of the exemption from military service of the mayors of ecclesiastical villages. It was found that according to the Code of Casimir the Great the mayors of ecclesiastical villages were required to render military service. The Diets of 1538 and of 1550 confirmed the old law, requiring compliance with its provisions, unless the clergy produced documentary evidence of special privileges of exemption for such cases. The Chamber of 1558, therefore, demanded that the clergy produce the documentary privileges they claimed to possess,¹⁶⁵ but the evidence was not forthcoming.

Thereupon a still more serious question was raised, namely, that concerning the clergy's participation in royal elections. Since the bishops were ever appealing to canonical law rather than to the law of the land, and since they regarded the interests of the Church of Rome and their loyalty to the Pope of greater importance than the interests of the country and their loyalty to the Polish king, the Chamber through its spokesman, Hieronimus Ossoliński, a Protestant, argued in the Senate in the king's presence that from such a weighty

¹⁶⁴ Zakrzewski, pp. 132, 134.

¹⁶⁵ Ibid., pp. 117, 118.

matter as the election of a Polish king the bishops, whose allegiance is divided, should be excluded.¹⁶⁶

This proposal capped the climax. It now became fully evident to all that the difficulties had become practically insurmountable, and instead of diminishing they were constantly increasing. The king proposed, therefore, a dissolution of the Diet. His proposal, being acceptable to all parties, was put in effect February 8, 1559.

At this Diet the Protestants had been in indisputable control, and in their struggle with the hierarchy had made considerable advance. They had demanded the abolition of ecclesiastical jurisdiction and the appeal to canonical law, not only in questions of religion, but in all other matters. They had proved that mayors of ecclesiastical villages were subject to military service in time of need, and not exempt from it as the clergy claimed. They had raised the question of the right of the bishops, as representatives of a foreign potentate, to participate in the elections of the Polish king.

In the face of the growing strength and aggressiveness of Protestantism, it is interesting to note the policy of the Catholic Church toward the state, toward its own clergy, and toward Protestantism, as that policy is revealed in the decisions of the synod of 1561. The Polish Catholic clergy fully realized by this time the precarious position of the Catholic Church in Poland, and decided upon conciliatory measures. To show the king their loyalty and generosity, they agreed to make a liberal contribution, 60,000 thalers, to the king's treasury for purposes of defense. To win the people back to the Mother Church, they resolved on reforms in the life of the Polish episcopate and the abandonment of the persecution of Protestants. The bishops were urged to live more simply, to give more personal attention to the administration of their dioceses, to establish schools, to assist in the education of the sons of the poorer gentry by providing free maintenance for them at their episcopal courts. To reclaim the Protestants, they resolved now to treat them kindly.¹⁶⁷ Even the Vatican

¹⁶⁶ Ibid., pp. 119-126.

¹⁶⁷ Ibid., p. 144.

adopted a conciliatory attitude toward the Polish government by immediately confirming the king's appointment to the archbishopric of Gnesen in 1562 of Bishop Uchański, who for years had been a suspected heretic and a *persona non grata* to the Holy See.¹⁶⁸

Nevertheless, whenever their incomes were at stake, the Polish bishops were still quick to resort to their ecclesiastical jurisdiction, and to excommunicate those failing to pay their tithes according to the agreement at the Diet of 1555. If the excommunicated person remained under the ban for a year without an effort to have it lifted, his property was to be seized and confiscated. The execution of such episcopal decrees was not easy; for the civil authorities declined to act. And even if there were officials who tried to execute such decrees, they found the task was altogether too difficult to perform. For instance, Lasocki, a well known Arian Protestant, failing to pay his tithes to the cathedral chapter of Cracow, was excommunicated. After a year Chancellor Ocieski, who was at the same time starosta of Cracow, ordered his possessions seized. The Protestant nobility, aroused by this order, came armed, one thousand men strong, to Cracow on May 14, 1561, and refused to allow the seizure of Lasocki's estate.¹⁶⁹

This and other similar cases determined the course of action of the Protestant nobility at the Diet of Piotrków, 1562-1563. The Protestants were well represented, and again elected one of their number, Raphael Leszczyński, as president of the Chamber. They protested now, not only against ecclesiastical jurisdiction in matters of heresy and tithing, but also against the edicts issued against heresy by Sigismund I.¹⁷⁰ They appealed to their special privileges received at Czerwińsk in 1422 and at Jedlnia in 1430, guaranteeing them freedom of person and inviolability of property rights, and to the constitution of the Diet of Radom, 1505, which made the royal edicts against heresy unconstitutional. For that

¹⁶⁸ Ibid., p. 152.

¹⁶⁹ Ibid., pp. 146-147.

¹⁷⁰ See Appendix, No. 14.

constitution, known as "Nihil novi," explicitly declared that no new fundamental law could be passed without the common consent of the Senate and the Chamber of Deputies.¹⁷¹ In these matters the Chamber again had the full support of all the temporal peers in the Senate, regardless of creed. As a result of these protests the king issued instructions to the starostas to respect the constitutionally guaranteed privileges of the szlachta. By this act all the edicts against heresy were practically annulled and the execution of judgments of ecclesiastical courts, whether in cases of heresy or in case of failure to pay tithes, was made impossible.

At the next Diet, assembled in Warsaw toward the end of November, 1563, the clergy made a show of presenting their privileges, exempting the mayors of their villages from military service, with the declaration that they were doing it "ad informationem" and not "ad iudicium." The indefiniteness of the documents was apparent. But the Chamber, though predominantly Protestant again with Nicholas Sienicki presiding, was inclined to be conciliatory. It agreed that the clergy should enjoy personal exemption from the so-called "pospolite ruszenie," or general rising in arms, but it did express the feeling that they should share in the burdens of defense by money contributions. After several consultations with the papal legate, the clergy declared their willingness to make a substantial contribution to the country's defense at this time, but could not obligate themselves regarding the future; and that they would do this on condition that the law passed at the last Diet virtually doing away with ecclesiastical jurisdiction be repealed and that the Edict of Warsaw of 1557, which had then been expressly recalled by the king as unconstitutional, be enforced. These reservations and conditions were not acceptable. And when the bishops refused to recede from the position they had taken, the king signed a manifesto, imposing a tax of 20 groszen per łan, or 20 groats per hide of land, of which 10 groszen were to come from the tithes.¹⁷² This evoked a veritable furor among the

¹⁷¹ Smoleński, pp. 77, 78, 91.

¹⁷² Vol. leg., vol. ii, fol. 661.

bishops. But it was useless. The king was firm; and from now on to the end of his reign whenever a tax was imposed for purposes of defense, the same proportion was to come from the tithes.¹⁷³

The notable victories achieved by the Protestants over the Roman clergy at the last two Diets opened the way wide to the spread of the Reformation. They also encouraged the *szlachta* to go still farther in their efforts to emancipate themselves from the power of the clergy. With ecclesiastical jurisdiction practically abolished, the *szlachta* began now to question the legitimacy of tithes. They were led to this by the insistence of the clergy that the tithes be paid, and by continuing to summon before their courts those who failed to do so and even the *starostas* who, in compliance with the law of the Diet of 1562-1563, refused to execute the verdicts of their courts. When, therefore, the Diet of 1565 assembled at Piotrków on January 18, the Chamber under the presidency of Nicholas Siennicki wanted to know the ground on which the *szlachta* was required to pay the tithes and the purposes for which the clergy were using them. And since the clergy was unwilling to share the burden of the country's defense, the *szlachta* was disinclined to pay the tithes.¹⁷⁴ The Deputies complained also about the summons served by episcopal courts on the *szlachta* for non-payment of tithes and on the *starostas* for refusing to execute episcopal decrees; whereupon the king sanctioned a law making all such summons null and void.¹⁷⁵ This was the last blow administered to the effectiveness of ecclesiastical jurisdiction; and as a result of it the victory of the Protestants was complete.

An idea of the relative strength and influence of Protestantism at this time may be gained from the composition of the Senate in the Diet of 1569, the number of Protestant parishes in the realm, and from a complaint of Peter Skarga, the greatest Jesuit preacher in Poland at the close of the

¹⁷³ Zakrzewski, pp. 178-179.

¹⁷⁴ Ibid., pp. 199-200, 201-207.

¹⁷⁵ Ibid., p. 206; Vol. leg., vol. ii, fol. 694.

16th and the beginning of the 17th century. The total number of senatorial seats in the Diet of 1569 was 133. Of these 70 were occupied by Catholics, 15 of whom were bishops, 58 by Protestant dignitaries, 2 by Greek Orthodox senators, and 3 were vacant. Of the total number of senators the Protestants came close to having one-half, and, exclusive of the Catholic bishops, the Protestants outnumbered the Catholic temporal peers by three.¹⁷⁶ The number of Protestant parishes in Poland toward the close of the 16th century, according to Professor Henry Merczyng's researches and calculations, was about 600, or one-sixth of the total number of Roman Catholic parishes in Poland including Lithuania. The same relative proportion existed between the Protestant and the Catholic szlachta of Poland at this time.¹⁷⁷ That this estimate of Professor Merczyng's of Protestant strength in Poland at this time is very conservative can be seen from Peter Skarga's complaint, made at the close of the 16th century, that two thousand Romanist churches had been converted into Protestant places of worship.¹⁷⁸

To make their strength felt still more politically, the Protestants, including the Lutherans, the Calvinists, and the Bohemian Brethren, entered into a certain form of union at Sandomir, April 14, 1570, known as *Consensus Sandomiriensis*. By this agreement, while each body retained its organization and form of worship, the three Protestant bodies pledged themselves to preserve peace and harmony among themselves and to act together politically.¹⁷⁹ Due to the political strength of the Protestants, the Polish szlachta entered during the interregnum after the death of Sigismund Augustus into a Pact of Confederation at Warsaw in 1573, by which religious toleration and equality were legally established in the realm, and had to be sworn to by every newly

¹⁷⁶ Henry Merczyng, *Zbory i Senatorowie w Dawnej Polsce*, Appendix in Krasieński, vol. iii, pp. 143, 262-263.

¹⁷⁷ *Ibid.*, p. 143.

¹⁷⁸ Winter, *Poland of Today and Yesterday*, p. 305.

¹⁷⁹ Krasieński, vol. i, pp. 237-242; Zakrzewski, p. 219.

elected king.¹⁸⁰ This marked the climax in the development of the Reformation in Poland.

The causes of this remarkable development of the Reformation movement in Poland were not only political, as previous studies have sufficiently established, but also social and economic. To show this is the purpose of the present study.

¹⁸⁰ Vol. leg., vol. ii, pp. 124-125; see also Reformation in Poland, Nos. 5-6, pp. 54-70.

CHAPTER II

SOCIAL CAUSES OF THE POLISH REFORMATION

The phenomenal spread of the Reformation in Poland was due, first of all, to certain social causes. Among these probably the most potent were the Renaissance, the art of printing, the influence of foreign universities, particularly those of Germany and Switzerland, religious toleration in Poland in the sixteenth century, and the fact that the new ideas were accepted, championed, and maintained by the upper classes of the population, thus giving the Reformation movement a certain prestige, popularity, and much needed moral and material support.

As in the West, so also in Poland the way for the religious Reformation was prepared in a large measure by the Renaissance. The new learning, together with the new temper of mind resulting therefrom, reached Poland early in the fifteenth century, won many enthusiastic followers among the educated nobility and even among the higher clergy, and exerted a powerful influence over the minds of the upper classes in the nation throughout the sixteenth century. Many of the Polish bishops were ardent admirers of Erasmus, among whom were Tomicki, Maciejowski, Zebrzydowski, Padniewski, and Myszkowski. Their episcopal courts as well as those of some of the Polish magnates, including that of Hetman Jan Tarnowski, were centres of humanistic culture.¹

The most notable representatives of the new temper of mind and exponents of the new ideas were John Ostrorog, who died in 1501, John Łaski, known also as John a Lasco, and Andrew Frycz Modrzewski; the first living and writing in the fifteenth and the second two in the sixteenth century. In his *Monumentum pro reipublicae ordinatione*, published in 1456, John Ostrorog opposed the Polish king's humble

¹ Roman Pilat, *History of Polish Literature* (*Historja literatury polskiej*), Lwów, 1909, vol. ii, No. 1 p. 24.

submissiveness to the pope, the payment of annates, the proclamation in the country of papal jubilees and indulgences for the purpose of collecting money, contended for the separation of the Polish church from Rome, and advocated state control of clerical education.²

John Łaski (1499-1560), nephew of the primate of the same name, was the most ardent and conspicuous Polish humanist and patron of humanists before his acceptance of the Reformation and his break with the established church. He had spent some time with Erasmus at Basel, purchased the great scholar's wonderful library, the use of which, however, he left to his master until his death, and on his return home in 1526 became a zealous promoter of humanistic studies in his own country and the most distinguished patron of a number of young Polish humanists, among whom were Modrzewski, Andrew Trzycieski, Rullus, Hosius; the Silesians, Pyrser, Lang, Ephorinus, Frederick of Freistadt; the Hungarian Antoninus, the Frenchman Aignan Bourgoïn, known also as Anian, and the Englishman Coxe.³

Andrew Frycz Modrzewski (1503-1572) was educated at the universities of Cracow and Wittenberg, and at the latter institution he became intimately acquainted with Melancthon. On his return to Poland he became secretary to Prince Sigismund Augustus. In 1546 he joined the Cracow circle of humanistic religious reformers, to which belonged Andrew Trzycieski, a fellow student of Modrzewski at Cracow, the publisher Wojewodka, the jurist James Przyłuski, James Uchański, deacon of the Cathedral Chapter, later archbishop and primate of Poland, Zebrzydowski, also deacon of the Cathedral Chapter and later bishop of Cracow, Lismanini, the Franciscan confessor of the queen, and others. In 1554 he published in Basel in the establishment of John Oporin his *De republica emendanda*, the fourth part of which consisted of his intended work, *De Ecclesia*, in which he dealt

² Peter Chmielowski, *History of Polish Literature* (*Historja literatury polskiej*), Lwów, vol. i, pp. 90-91.

³ Stanislaus Kot, *Andrew Frycz Modrzewski*, Cracow, 1919, pp. 13-15.

with the problem of church reform. Modrzewski was primarily a humanist, secondarily an advocate of religious reform. He strongly favored the establishment of a national church, independent of papal jurisdiction,⁴ and leaned toward Calvinism.⁵

In the first half of the sixteenth century humanism reached the height of its development and influence in Poland, and as a result brought about a radical mental and spiritual change. It freed the individual from the mediaeval burden of religious and intellectual authority; and while it did in turn impose new authorities, yet it awakened a sense of criticism, of intellectual and spiritual inquiry, and of independent judgment.⁶ This new critical attitude of mind constituted a well prepared soil for the reception, growth, and development of the new seed of religious reform. This accounts in a large measure for the easy and rapid spread of the Reformation in Poland. In their search for truth the humanists disregarded the authority of the church, and subjected the established faith and ecclesiastical order to criticism. Criticism led, in turn, to rebellion against the dogmas of the church and its organization.⁷

Another factor contributing to the spread of the Reformation in Poland was the art of printing. The first printed book, Guttenberg's Bible, appeared from the press at Munich in the year 1455. Ten years later books in the Latin language were printed in Cracow by a certain Gunther Zainer, who, it is claimed, had been invited to Cracow by the University.⁸ Later Zainer is said to have removed to Augsburg, where he was to open a permanent printing establishment.⁹ The earliest known print struck off in Cracow was a calendar for the year 1474, *Calendarium anni Domini 1474 currentis*, a

⁴ Chmielowski, vol. i, pp. 197-202.

⁵ Kot, pp. 189-190.

⁶ Cf. Chmielowski, vol. i, pp. 150-152, and Smoleński, *Hist. of Poland*, p. 93.

⁷ Cf. Pilat, vol. ii, No. 1, p. 28.

⁸ See Arthur Górski, *Poland's Objective* (*Ku czemu Polska szła*), Warsaw, 1919, p. 46, and Lewinski-Corwin, *A Hist. of Poland*, p. 142.

⁹ Pilat, vol. ii, No. 1, pp. 36-37.

copy of which is preserved in the library of the University of Cracow.¹⁰ Immediately following this publication there appeared two editions of Joannis de Turrecremata *Explanatio in Psalterium Davidi*, the first in 1473-1474, the second in 1475. Until recently this book was regarded as the earliest publication printed in Poland.¹¹ Contemporaneously with Turrecremata's work there appeared from the press in Cracow two other interesting books, namely, St. Augustine's *Opuscula, de doctrina christiana, de praedestinatione Sanctorum* (1473-1474), and Franciscus de Platea's *Opus restitutionem, usurarum et excommunicationum* (1475).¹²

Books in the Slavic language in cyrilic characters were printed in Cracow as early as 1491 by a certain enterprising German printer from Neustadt, Franconia, by the name of Schwaipolt Fiol.¹³ In 1492 Fiol was summoned before an ecclesiastical court to be tried for openly expressing heretical opinions. After that nothing more is heard of his printing and publishing activity.¹⁴ The first Polish book was printed in Breslau in 1475. Its title was *Statuta synodalia Wratislawiensia episcopi Conradi Oelsnensis, item statuta episcoporum Petri Nowak et Rudolphi Ruedesheimii*, and it contained in Polish the Lord's Prayer, Ave Maria, and the Apostles' Creed. A copy of this book is to be found in the British Museum.¹⁵

Whatever printing was done in Cracow in the second half of the fifteenth century was, however, sporadic. Permanent printing and publishing business had not been established until the beginning of the sixteenth century. This was first accomplished in 1503 by John Haller, a merchant of Cracow, who imported a printer from Metz, Caspar Hochfeder by name, with all necessary equipment. Chmielowski claims that Hochfeder was the printer who had previously been in Cra-

¹⁰ Chmielowski, vol. i, p. 153.

¹¹ *Ibid.*; Pilat, vol. ii, No. 1, p. 36.

¹² Chmielowski, vol. i, pp. 153-154.

¹³ *Reformation in Poland*, vol. i, No. 3, p. 181.

¹⁴ Pilat, vol. ii, No. 1, p. 37, n. 1.

¹⁵ Chmielowski, vol. i, p. 174; cf. Lewinski-Corwin, p. 142.

cow and had printed Turrecremata's, Augustine's, and de Platea's works, and not Zainer. It is also known that in this undertaking Haller was assisted by Georg Stuchs von Sulzbach. From this time on Cracow had a permanent printing establishment, owned and managed by John Haller. This enterprising merchant owned also a paper mill and maintained a bookstore.¹⁶ After Haller's death in 1525 the business was efficiently carried on by his widow, and merited a considerable degree of renown.¹⁷

Encouraged by the example and success of Haller's enterprise, others soon entered the publishing business, and the number of printing presses in Cracow multiplied rapidly. In the first half of the sixteenth century the Polish capital was the proud possessor of the printing establishments of Florian Ungler, Hieronimus Wietor, Matthew Scharffenberger, Siebeneicher, Wierzbicka, Lazarus Andrysowicz, and of Piotrkowczyk.¹⁸ Ungler was the first one of the Cracow printer-publishers to attempt Polish prints. Among his employees was a certain John of Sącz (Jan z Sącza), who later became a very active promoter of Polish printing. In 1533 this John of Sącz, known now also as Małecki and Sandecki, had a printing establishment in Pułtusk. By 1536 we find him in East Prussia at first as printer-publisher and afterwards as Lutheran pastor and superintendent at Elck.¹⁹ Ungler's successors became Stanislaus of Zakliczyn and Gregory Przeworski.²⁰ The largest and best in point of output and quality of work was the printing establishment of Andrysowicz. By it were printed the constitutions of the Polish Diet, Wujek's Bible, and many other important and valuable books of the sixteenth century.²¹

In the years 1503-1536 there were published in Cracow alone two hundred ninety-four printed books, or as many as

¹⁶ See *Reformation in Poland*, vol. i, No. 3, p. 181; Chmielowski, vol. i, pp. 154, 155; Pilat, vol. ii, No. 1, p. 38.

¹⁷ Pilat, vol. ii, No. 1, p. 36.

¹⁸ Chmielowski, vol. i, p. 155; Pilat, vol. ii, No. 1, p. 38.

¹⁹ *Reformation in Poland*, vol. i, No. 3, p. 182.

²⁰ *Ibid.*

²¹ Pilat, vol. ii, No. 1, pp. 38-39; Chmielowski, vol. i, p. 155.

in the whole of England in the same period.²² Thus, the Polish capital became the centre of cultural activity, not only for Poland, but also for eastern and south-eastern Europe. "The earliest books for Hungary, Moldavia, Transylvania, Ruthenia, and Lithuania were printed in Cracow."²³

But Cracow was not the only Polish city in which printing establishments were to be found. Other cities had them, too. In the first half of the sixteenth century printing establishments were found in Wilno, Pułtusk, and Poznań. Later, in the course of the second half of the same century, printing presses were established in Lublin, Brześć-Litewski, Kowno, Łosk, Nieśwież, Łowicz, Płock, Kalisz, Pińczów, Raków, Zamość, Warsaw, Gdańsk, Chełm, Lwów, Kiev, and other provincial cities and towns.²⁴

Moreover, many of the Polish printer-publishers were either open adherents of the Reformation or in sympathy with it. Some of the Cracow printers, though remaining in the Catholic Church, yet for the sake of business printed and circulated Protestant books. Wietor, suspected of heresy, had to make a confession of the Catholic faith before an episcopal tribunal. The printer Andrysowicz was placed on the index.²⁵ Some were open adherents of the Reformation. The court printer, Michael Wierzbęta, was a Calvinist, an elder in the Reformed Church of Cracow, and in his establishment were printed Calvinistic books and pamphlets as well as many of the best Polish literary productions of the time.²⁶ Alexander Rodecki, another Cracow printer-publisher, conducting printing establishments also at Raków and at Łosk, was an Arian. His daughter Judith married Sebastian Sternacki, who was also a publisher of Arian literature at Cracow and Raków. Sebastian Sternacki's son, Paul, married Catharine Siebeneicher, and continued as publisher of Arian literature.²⁷

²² Górski, p. 47.

²³ Lewiński-Corwin, p. 143.

²⁴ Pilat, vol. i, No. 1, p. 39; Chmielowski, vol. i, p. 155.

²⁵ The Reformation in Poland, vol. i, No. 3, p. 184.

²⁶ Ibid., vol. i, No. 3, p. 184.

²⁷ Ibid., vol. i, No. 3, pp. 186-187.

Other Protestant printers were Daniel of Łęczycza, an itinerant printer, Bernard Wojewódka, active at Brześć-Litewski, and Cyprian Bazylik, who married a niece of one of the earliest Cracow printers, Wolfgang Lerma von Pffaffenhoffen.²⁸

Besides a number of printer-publishers, there was in Cracow and in Poland in general a considerable number of booksellers thoroughly sympathetic with the Reformation movement. One of the earliest Cracow booksellers imbued with the new religious ideas was Georg Fenig, of Crailsheim, Würtemberg. He had been in Cracow as early as 1515. In 1520 he was in Leipzig, where he had a bookshop and where he became a Lutheran. In 1527 he returned to Poland, and settled in Poznań. After his death in 1538 his widow carried on the business until 1551, when she removed to Königsberg in East Prussia with her daughter, who married there John Seklucjan, formerly of Poznań.²⁹ Other Cracow booksellers, favoring the Reformation, were Sebastian Pech, Michael Królik, Zachaeus Kessner, Jean Tenaud, of Bourges, and Estienne Le Riche, of Lyon.³⁰ Pech and Królik were Calvinists, and were in constant touch with Geneva, Zurich, and Basel. Just as soon as a new book was published in Switzerland it at once found its way to Poland through these intermediaries. Pech maintained a bookstore not only in Cracow, but also in Lwów.³¹ The largest Cracow bookseller in the second half of the sixteenth century, and a very influential member of the Lutheran congregation there, was Zachaeus Kessner. His business connections extended throughout Poland and northern Hungary, and he dealt chiefly in books of scholarly value.³² John Policjusz, a former business manager of Kessner's, became a bookseller at Zamość.³³ Jean Tenaudus was a Frenchman and a leading Calvinist, who came into touch with Polish Calvinists through Geneva. He came to Poland

²⁸ *Ibid.*, vol. i, No. 3, p. 188 and n. 1.

²⁹ *Ibid.*, vol. i, No. 1, pp. 44-45.

³⁰ *Ibid.*, vol. i, No. 1, p. 45.

³¹ *Ibid.*, vol. i, No. 1, p. 45.

³² *Ibid.*, vol. i, No. 1, pp. 46-47.

³³ *Ibid.*, vol. i, No. 1, p. 47.

in 1558, and was first a teacher in the Calvinistic gymnasium at Pińczów and later principal of the Calvinistic school in Cracow, conducting a bookstore at the same time. Owing to his fame as a bookdealer, he won the honor of being designated by King Stephen Batory in 1578 as court bookdealer.³⁴ Estienne Le Riche, known also as Stephen Dives, of Lyons, seems to have succeeded Tanaud, and was an important intermediary in the book business between Poland and the West.³⁵ As a result of this active book trade in Poland in the sixteenth century, the writings of Luther and Calvin and of other reformers were speedily imported into Poland and received wide circulation. As early as 1520 Luther's books were brought to Cracow, sold in the university buildings to the students, and were read and discussed by them with the tacit approval of the faculty until they were condemned by Pope Leo X.³⁶

In the spread of intelligence regarding the new religious movement the Polish magnates, favoring and supporting the Reformation, played also an active and important part. A number of them established printing presses of their own for the distinct purpose of religious propaganda. Thus, for instance, Michael Radziwill, the Black, an ardent supporter of Calvinism, founded a printing press at Brześć-Litewski, where Calvinistic literature was printed, and where in 1563 the Radziwill Bible was published. John Kiszka, starosta of Żmudź, established presses at Łosk and Nieśwież. These together with Raków and for a time with Pińczów were publication centres for Arian literature. At Nieśwież in 1572 Budny's Arian Bible was published. The presses at Pińczów were maintained by the Oleśnickis. Moreover, we must not fail to bear in mind that one of the earliest, most prolific and most influential Polish Protestant publication centres was Königsberg in East Prussia, where Prince Albert had established one of the best and largest printing and publishing enter-

³⁴ Ibid., vol. i, No. 1, pp. 48-49.

³⁵ Ibid., vol. i, No. 1, pp. 49-50.

³⁶ Kot, *Modrzewski*, pp. 7-8, 64.

prises of the time for the dissemination of the Reformation doctrines both in his own duchy and throughout Poland.³⁷

These Protestant presses were kept busy, printing pamphlets, books, and the Scriptures or portions thereof. This literary output consisted partly of translations and partly of original writings. A good deal of it was polemical, making a severe attack on Catholicism. What helped to stimulate this publishing activity was the fact that by a statute of 1539 the royal edicts of 1520 and 1523, forbidding the dissemination of heretical literature, were revoked, and freedom of the press was established in Poland.³⁸ From the presses of Königsberg John Seklucjan fairly flooded Poland with religious literature between the years 1544 and 1559. Among his publications deserving mention there were: A Confession of Christian Faith, published in 1544, Luther's larger and shorter catechism and a collection of hymns (1547), a Polish translation of the New Testament, effected by Stanislaus Murzynowski and published in 1550-1553, and Seklucjan's volume of homilies (1556).³⁹ Here, too, appeared in 1552 Małecki's translation of the New Testament.⁴⁰ This Małecki is the same person whom we met before in Cracow and at Pułtusk as printer-publisher under the name of John of Sącz. Following Seklucjan's example, Scharffenberg published in Cracow in 1561 John Leopolita's translation of the Bible, known as the Leopolitan Bible. The Calvinistic or Radziwill's Bible, as we have already noted, appeared at Brześć-Litewski in 1563, the Arian or Budny's Bible at Nieśwież in 1572, and the Catholic or Wujek's Bible in 1599.⁴¹ Among the Protestant publications of this time deserving mention were also two significant volumes of homilies, Nicholas Rey's published in 1557, and Gregory's of Żarnowiec, which appeared in 1572-1580.⁴² Both of these works have survived in various editions

³⁷ See Pilat, vol. ii, No. 1, p. 39, and Brückner, *History of Polish Literature*, vol. i, pp. 102-103, 113.

³⁸ Kubala, *Orzechowski*, p. 55.

³⁹ Chmielowski, vol. i, pp. 189-190.

⁴⁰ *Ibid.*, p. 189.

⁴¹ *Ibid.*, p. 190.

⁴² *Ibid.*, p. 192.

the vicissitudes of time to the present day, and are still in use in Protestant homes of Poland. The Arians, too, made a large and credible contribution to Polish religious literature, consisting of translations of the works of Stankar, Lismanini, Ochino, and Socino, and of original writings of their leading representatives. Among the leading Arian writers of the sixteenth century were Martin Krowicki, Gregory Paul or Pauli, Peter of Goniądz, Simon Budny, John Niemojewski, and Martin Czechowic. Czechowic had studied at Poznań and Leipzig (1554), and was the most distinguished of the Arian writers. His most important works were published between the years 1575 and 1583, his Racovian Catechism appearing in 1575, his translation of the New Testament in 1577, and the Epistomium, a polemical work, in 1583.⁴³

We have seen that the number of books printed in Cracow alone in the years 1503-1536 was two hundred ninety-four. The total number of books printed in Poland toward the end of the fifteenth and during the sixteenth century is estimated to have been seven thousand five hundred.⁴⁴ This extensive printing and publishing activity contributed greatly to the popularization and spread of the ideas of humanism and the doctrines of the Reformation.

Then, too, the spread of the new ideas in Poland was due to close intellectual connections between Poland and the West and to the influence of German and Swiss universities. It was customary for the sons of the Polish aristocracy and the well-to-do gentry to frequent foreign universities for the purpose of rounding out their education. The leaders of that day, whether in science, literature, or politics, were invariably men educated abroad. Moreover, visits home on the part of the Polish students, regardless of whether they were studying in Germany, Switzerland, or Italy, were more common and frequent in the sixteenth century than today.⁴⁵

The University of Cracow, famous for its learning, attracting students from all over Europe, and flourishing in the

⁴³ Ibid., pp. 192, 193.

⁴⁴ Ibid., p. 155.

⁴⁵ Pilat, vol. ii, No. 1, pp. 56, 57; Kot, Modrzewski, p. 31, n.

fifteenth century, lost its influential position and its drawing power with the beginning of the sixteenth century, owing to its reactionary character and its pronounced opposition to the new current of thought and learning. The universities of the West and of the South superseded it in influence and attractiveness. The flow of foreign students to Cracow ceased; and Polish students began to turn now more and more to German, French, Swiss, and Italian universities in search of learning and knowledge.⁴⁶ Up to 1525 the sons of distinguished Polish families still frequented the University of Cracow, spending their first years there and then finishing their studies in universities abroad. After that, however, the character of the student body at the university changed entirely. The sons of the Polish aristocracy disappeared; they turned to other universities. The names appearing on the university register after 1525 were names of the small gentry, the town population, and the peasantry.⁴⁷ The youth of the Protestant families in particular had nothing to gain by registering at the University of Cracow; it, therefore, sought the universities of Wittenberg, Zurich, and Basel, especially so by the middle of the sixteenth century.⁴⁸

The Polish students were eager to become acquainted with the new ideas, they absorbed them readily, and on their visits home or their final return they disseminated them in their own country. So great was the exodus of Polish students to German and other foreign universities, and so great the danger of infecting the country with the new religious doctrines and practices through the channel of intellectual intercommunication that the reactionary elements in the country found it necessary to force the king to pass laws forbidding the Polish youth to frequent foreign universities infected with heresy or suspected of such infection.⁴⁹

⁴⁶ Reformation in Poland, vol. i, No. 1, p. 15.

⁴⁷ Chmielowski, vol. i, p. 160.

⁴⁸ Reformation in Poland, vol. i, No. 1, p. 15.

⁴⁹ See Appendix, No. 10. The number of Polish students at Wittenberg was so considerable by 1535 that John Cochlaeus, a Catholic polemical writer, called attention to the danger of this to the Catholic Church (Reformation in Poland, vol. ii, No. 7, p. 166), and the

It is of great interest to note that in the sixteenth century Polish students were registered in considerable numbers in nearly every German and Swiss university of any consequence. They were at Wittenberg, Leipzig, Königsberg,⁵⁰ Frankfort on the Oder, Heidelberg, Herborn, Altdorf, Marburg, Freiburg, Würzburg, Dillingen, Mainz, Ingolstadt, Zurich, and Basel.⁵¹ The German universities most largely attended by Poles were Wittenberg, Leipzig, Königsberg, and Frankfort on the Oder. The number of Polish students registered in these institutions of learning in the course of the sixteenth century was over two thousand.⁵² At Heidelberg there were in the course of the century about one hundred and sixty-five Polish students,⁵³ at Altdorf, from its foundation in 1575 until 1617, two hundred and seventy,⁵⁴ at Marburg, from 1527 to 1628, about seventy,⁵⁵ and at Basel, from 1549 to 1570, also about seventy.⁵⁶ At Wittenberg we find representatives of prominent Cracow families among Luther's students as early as 1520.⁵⁷ By the end of the same decade the number of Polish students in that university had considerably increased, and there were found among them Stanislaus Orzechowski, Stanislaus Warszewicki, I. Krotowski, I. Lipczyński, three Górkas, two Ostrorogs, Tomicki, and Grudziński.⁵⁸ After 1530 the sons of the Polish nobility flocked to Wittenberg in steadily growing numbers.⁵⁹

The universities most popular with the Poles were the Protestant universities rather than the Catholic. The relative

result was the Edict of Feb. 4, 1535; repeated March 22, 1540; revoked in 1543.

⁵⁰ "Collegium Albertinum," founded by Albert II in 1544, with a distinctively Lutheran character.

⁵¹ Historical Quarterly (Kwartalnik Historyczny), Lwów, vol. xxviii, No. 1, pp. 83-88; The Reformation in Poland, vol. i, No. 2, pp. 105-133.

⁵² Historical Quarterly, vol. xxviii, No. 1, p. 84.

⁵³ Ibid., p. 84.

⁵⁴ Ibid., p. 85.

⁵⁵ Ibid., p. 87.

⁵⁶ Reformation in Poland, vol. i, No. 2, p. 128.

⁵⁷ Kot, Modrzewski, p. 8.

⁵⁸ Ibid., p. 15; Kubala, Orzechowski, p. 2; Pilat, vol. ii, No. 1, p. 56.

⁵⁹ Kot, Modrzewski, p. 29, n. 2.

proportion of Poles attending German Protestant and Catholic universities was, in the sixteenth century, six to one.⁶⁰ The most popular Catholic university was Ingolstadt, registering in that century three hundred and sixty-five Polish students and occupying the fifth place among the German universities frequented by Poles.⁶¹ Freiburg in the course of fifty-six years, from 1575 to 1631, during a period when the Catholic reaction had already set in, registered less than a hundred Polish students.⁶² Dillingen, Würzburg, Mainz, founded by Catholic bishops for the purpose of counteracting the influence of the Protestant universities and under the control of the Jesuit Order, began to draw Polish students with the rise of the Catholic reaction after 1564.⁶³ Of the Protestant universities the most popular with the Poles were Wittenberg, Königsberg, Heidelberg, and Frankfort on the Oder,—all centres of Lutheranism. Of the Swiss universities the one most largely attended by Poles was the University of Basel. The Swiss universities together with Altdorf, Herborn, and Marburg in Germany were centres of Calvinism, and were sought and frequented by Calvinistic sympathizers from among the Poles.⁶⁴ At Altdorf, where the number of students was comparatively small, the Poles constituted in some years one-fourth of the total student body. Owing to their numerical strength, the honorary rectorship of the university was held twice by one of their number, in 1583-1584 by Nicholas Ostrorog, and in 1609-1610 by Adam Sienieński.⁶⁵

The Polish students registered in the German and Swiss Protestant universities were the sons of the Polish aristocracy and the well-to-do Polish gentry.⁶⁶ At Altdorf, for instance, we find the sons of such Calvinistic aristocratic families as the Firleys, the Ostrorogs, the Naruszewiczes, the Wollowiczes, the Lanckorońskis, the Wiśniowieckis, the Krotoskis,

⁶⁰ Historical Quarterly, vol. xxviii, No. 1, p. 87.

⁶¹ Ibid., p. 84.

⁶² Ibid., p. 87.

⁶³ Ibid., pp. 87-88.

⁶⁴ Ibid., pp. 84-87.

⁶⁵ Ibid., p. 85.

⁶⁶ Ibid., p. 85; Reformation in Poland, vol. i, No. 2, p. 128.

and the Sienieńskis; of the Calvinistic well-to-do gentry, namely, the Gołuchowskis, the Reys, the Przeclawskis, the Lipskis, the Czernows, the Grochowskis, the Balls, the Boguszes, the Zielińskis, the Ossolińskis, the Przyjemskis, the Pieniążeks, and the Suchorabskis; and later, with the beginning of the seventeenth century, of such Arian noble families as the Przyppkowskis, the Stoyeńskis, the Lubienieckis, the Otwinowskis, the Filipowskis, the Dudyczys, the Hoyskis, the Niemieryczys, the Taszyckis, the Morsztyns, the Szlichtyngs, and even the Radziwills.⁶⁷ At Herborn, in the years 1611-1619, there were the Ostrorogs, the Gołuchowskis, the Drohojewskis, and the Rożyckis. These, too, were sons of Calvinistic families.⁶⁸ At Marburg, in the years 1601-1620, we find representatives of the Lithuanian Calvinistic szlachta from around Shuck and Kieydany, the Święcickis, the Re-kuckis, the Ceraskis, the Estkos, the Kozdryns, and the sons of Calvinistic pastors, the Wannowskis, Krosniewieckis, and the Molesons.⁶⁹ At Wittenberg, Leipzig, and Frankfort on the Oder there were to be found the sons of the powerful aristocratic families, the Mniszekis, the Ostrorogs, the Lanckorońskis, the Myszkowskis, the Radziwills, and the Przyłęckis.⁷⁰ Finally, at Basel we find in the years 1549-1570 representatives of the best and most influential Polish families. From Great Poland there were the sons of the Zbąskis, the Ostrorogs, the Rozrażewskis, the Nadarzyckis, the Łasickis, and of the Woynowskis; from Little Poland, the Myszkowskis, the Dłuskis, the Gnoyeńskis, the Lipnickis, the Ossolińskis, the Czyzowskis, the Pieniążeks, and of the Słupcekkis; from Mazovia, Iłowski; from Lithuania, Skumina, Tyszkiewicz, Kiszka; from Kuyavia, Zebrzydowski; from the district of Sieradz, the Lutomirskis, Zalewski, Kotkowski, Pakleпка; from the eastern provinces, Drohojowski, Strzelecki, Drzewiński, Strzechowski, and Uhrowiecki.⁷¹ All these

⁶⁷ Historical Quarterly, vol. xxviii, No. 1, pp. 85-86.

⁶⁸ Ibid., pp. 86-87.

⁶⁹ Ibid., p. 87.

⁷⁰ Ibid., p. 88.

⁷¹ Reformation in Poland, vol. i, No. 2, p. 128.

names found on the register of the University of Basel are well known in connection with the Reformation movement in Poland. The bearers of them played prominent rôles in Polish politics and in the spread of the Calvinistic and later of the Arian faith in their native land.⁷²

Another significant cause furthering the spread of the Reformation in Poland was Polish religious tolerance. In the sixteenth century Poland was a country not only of political liberty, but also of intellectual freedom and of religious liberty. To be sure, owing to the pressure exerted by the clergy upon the kings, royal edicts, forbidding the dissemination of the new doctrines in the land and imposing severe penalties upon transgressors, were issued freely. However, these edicts violated constitutionally guaranteed liberties of the nobility, and, consequently, were never approved by any diet; hence, they had not the force of law, and remained largely a dead letter.

As to the attitude of the kings themselves, they were rather tolerant of differences in religious belief and practice. Sigismund the Old, while a very good and loyal Catholic and a ruler who seemed to be easily induced to issue decrees proscribing the new religious movement, was very tolerant personally. When Johann Eck, the German Catholic theologian and zealous opponent of Luther, called on him to adopt a stern policy and to use severe measures in suppressing Lutheranism in Poland, the king replied that his desire was to rule over the goats as well as over the sheep.⁷³ When, again, in July, 1546, Pope Paul III urged him to take an active part on the side of the cause of the church in the religious war which had broken out in Germany at this time, Sigismund I not only refused to do so, but also by royal order forbade Polish citizens to engage even privately in any way on either side of the German controversy and conflict.⁷⁴

⁷² Ibid., p. 128.

⁷³ *Ad invictissimum Poloniae regem Sigismundum de sacrificio Missae contra Lutheranos*, Joannes Eckius, 1526, referred to by Krasiński, vol. i, p. 88.

⁷⁴ See above, p. 38.

Then, too, it was Sigismund I who in 1525 consented to the secularization of the Teutonic Order and of the Duchy of East Prussia, then a part of the Polish kingdom. And it is a well known fact that his court was unusually liberal and a safe shelter for humanists and humanistic sympathizers with the Reformation movement.

If Sigismund I was tolerant, his son, Sigismund Augustus, who succeeded his father to the throne in 1548, was still more so. Reared in the liberal atmosphere of the court and educated by humanists in sympathy with the ideas and doctrines of the Reformation, Sigismund Augustus was a religious liberal. Out of state policy he remained in the Catholic Church and stood by it, though to all appearances his personal convictions and sympathies leaned in the direction of the Reformation movement, certainly so in his earlier if not in his later years. He surrounded himself with humanists and with supporters of the Reformation. He read books of the reformers, participated in religious discussions with his friends, and corresponded with Calvin. He formed an intimate friendship with Nicholas Radziwill, the powerful magnate and grand hetman of Lithuania, and an avowed and staunch Calvinist, and married his beautiful sister, Barbara, who, too, had embraced the Calvinistic faith. With Francisus Lismanini, the former Franciscan confessor of his queen mother, he maintained a friendly connection for years, even after Lismanini had become openly known as an ardent admirer and sympathizer with Calvinism. He favored certain church reforms, and had gone so far as to send an embassy to Rome to secure the pope's sanction of them, which sanction, however, was not granted. And when at one time the Pope urged him to exterminate the heretics from his land, Sigismund Augustus gave the Holy Father this characteristic reply: "I fear that by trying to pull up the tares, I might uproot the wheat also."⁷⁵

The same religious broad-mindedness, liberality, and tolerance characterized the person and the reign of the third

⁷⁵ Pilat, vol. ii, No. 1, p. 32.

notable Polish king of the sixteenth century, Stephen Batory (1576-1586). King Stephen was a faithful Catholic, a generous supporter of Jesuitism, and a ruler who saw the strength of the royal power in a close alliance with the Church of Rome. Yet, in spite of his strong Catholic loyalty, he would not tolerate any religious persecution. He steadily discountenanced all religious disturbances, and firmly kept his coronation oath to maintain peace among the adherents of different religious faiths, asserting that he did not wish to violate anybody's conscience.⁷⁶ He, too, like Sigismund I, wished to rule peaceably over the goats as well as over the sheep.

When we turn from the kings to the nation, we meet with the same broad-minded liberality and tolerance. The Polish nation of the sixteenth century loved liberty no less than at any other period of its history. Liberty constituted the foundation and was an essential characteristic of all its institutions, political and social. The Polish nobility worked and fought strenuously for its political rights and privileges, and having secured them, guarded them jealously. Naturally, therefore, when the question of religious liberty once arose, the Polish nobility immediately applied to the sphere of religion the same principle it had established in the realm of politics. It insisted on freedom of thought, on liberty of conscience, on toleration of divergent views, beliefs, and practices. In 1539 freedom of the press was established, and in 1556 full liberty of conscience.⁷⁷ To secure the realm still further against any possible religious intolerance, dissensions, persecutions, or strifes and conflicts, the ruling classes entered, on the death of Sigismund Augustus, into a compact, sealed by the Confederation of Warsaw on the twenty-eighth day of January, 1573, mutually pledging themselves to maintain religious peace and toleration in the land.⁷⁸ This compact was confirmed by the Diet, became a part of the Polish

⁷⁶ Krasinski, vol. ii, p. 42.

⁷⁷ Kubala, Stanislaus Orzechowski, p. 7.

⁷⁸ Vol. leg., vol. ii, fol. 841-843.

constitution, and had to be sworn to by succeeding kings on their accession to the Polish throne.⁷⁹

Owing to this remarkable degree of religious toleration, Poland became a land of refuge for persecuted religious dissenters and reformers of other European countries. Here found refuge such men as Franciscus Stankar, Blandrata, Negri, Lelio and Faustus Sozzino, Bernard Ochino, Alciati, Gentilis, Franciscus Lismanini, and Peter Statorius,⁸⁰ all of whom were Italians of extreme religious views and unwelcome even in Switzerland; and later at the beginning of the seventeenth century the German anti-trinitarians, Crell, Smalz, Ruarus, and Stegmann⁸¹ also found refuge in Poland. Bernard Ochino, driven out from Zurich, came to Poland in December, 1563, and in appreciation of the freedom of thought and of conscience there existing, dedicated his twenty-eighth dialogue to King Sigismund Augustus. Ochino had opposed the execution of Servetus, and admired Poland's religious toleration.⁸² Ruarus was led to emigrate to Poland by the reports of its "golden liberty of conscience established

⁷⁹ "Quod vero supra hisce literis, privilegia, libertatis ecclesiasticas, cum caeteris confirmavimus, id nihil articulo juramenti derogare volumus; videlicet pacem, et tranquillitatem, inter dissidentes de religione, tuebimur, et manu tenebimus, etc., quem inconcusse, firmiter et inviolabiliter, ac cum effectu, nos observaturos promittimus, ac spondemus" (*Confirmatio Generalis Omnium Jurium* a. 1576, in Vol. leg., vol. ii, fol. 913).

"Pacemque et tranquillitatem inter dissidentes de religione tuebor, manutenebo, nec ullo modo, vel jurisdictione nostra, vel officiorum nostrorum, et Statuum quorumvis, autoritate quemquam affici, opprimique, causa religionis, permittam, nec ipse afficiam, nec opprimam" (*Litterae de praestito juramento*, sworn to by Henry de Valois, Stephen Batory, and Sigismund III, see Vol. leg., vol. ii, folio 863, 892, 1096).

It is interesting to note also Sigismund III's confirmation of the Confederation of Warsaw: "Confoederationem inter dissidentes de religione, non solum juramento, uti a Serenissimis, Henrico, et Stephano, Regibus Poloniae et Praedecessoribus suis factum est, conservabit; verum etiam processum et executionem utrique parti servientem, contra violatores ejus oblatam, sub juramento observabit; et ut ab Ordinibus Regni quamprimum instituatur, sedulo curabit" (Vol. leg., vol. ii, fol. 1099). The significance of this confirmation becomes still more striking when one recalls the strongly reactionary character of this ruler.

⁸⁰ Reformation in Poland, vol. i, No. 2, p. 129.

⁸¹ *Ibid.*, p. 134.

⁸² *Ibid.*, p. 123.

by the constitution of the Estates and sworn to by Polish kings.”⁸³ Besides these extremists, others sought and found refuge in Poland from religious persecution in their homelands. The most notable case is that of the Bohemian Brethren. While as a group they were ordered to move on to East Prussia, where Duke Albert offered them asylum, many of them remained in Poland, and exerted a powerful influence on the Reformation movement in that country. Moreover, at Cracow, Vilna, Posen, Tarnov, and Lublin there actually existed Protestant congregations composed not only of Germans, but also of Italian, French, English, and Scotch religious refugees.⁸⁴ The Scotch congregations were naturally Calvinistic, and some of them were still in existence by the middle of the eighteenth century. Such names as Gordon, Hyson, Sinclair, Pipe, Leigh, French and Ross still appeared on the Calvinistic rolls at that time.⁸⁵

In this connection it is worth noting that while in liberal England hundreds of persons were executed for their religious convictions in the course of the sixteenth and seventeenth centuries, in Poland there was only one such execution, that of an eighty year old lady in the city of Cracow in 1539.⁸⁶

The remarkably rapid spread of the Reformation in Poland was, therefore, due in no small measure to Polish religious toleration.

Finally, in our study of the social causes of the growth of the Reformation in Poland, we must by no means overlook the fact that the Polish religious reformation was a class movement. It was accepted, adhered to, and championed by the upper classes of Polish society; in the cities by the commercial population, largely German, and throughout the country by the nobility, the large magnates and the well-to-do gentry, particularly the large magnates. This was due

⁸³ Ibid., p. 136.

⁸⁴ Krasinski, vol. ii, pp. 135-136.

⁸⁵ Łukaszewicz, A History of Calvinistic Churches in Little Poland (*Dzieje kościołów wyznania helweckiego w Małej Polsce*), Posen, 1853, p. 308.

⁸⁶ See above, p. 33.

to the circumstance that both of these classes were in close contact with the outside world and with new movements abroad; the first chiefly through commercial intercourse, the second through educational, social, and diplomatic relations.

This class aspect of the movement was both its strength and its weakness. The fact that the Reformation won to itself, and was accepted by, the most alert, socially most influential, and politically most powerful classes constituted its strength. It lent the movement a certain dignity and prestige, made it unavoidably popular, and assured to it rapid spread and certain victory. In its strength, however, lay also its weakness. The Polish Reformation remained an upper class religion. It did not filter through down to the masses of the population; it did not grip, transform, and revitalize the people. This circumstance harbored the movement's inevitable doom from the very beginning, however glorious that beginning might have been and however phenomenal the development.

The Renaissance, the art of printing, the influence of foreign universities, religious toleration, and the aristocratic character of the Polish Reformation,—these were, then, some of the most important social causes of the growth of the Reformation in Poland.

CHAPTER III

THE WEALTH OF THE POLISH CHURCH IN THE XVITH CENTURY: ITS EFFECT ON THE NOBILITY

One of the most potent causes of the spread of the Reformation in Poland in the sixteenth century was the enormous wealth of the Polish church. Owing to the liberality of princes, kings, magnates, and pious devotees, the church became a great economic power. Its large landed estates and great financial resources were both exasperating and enviable. It was one of the largest landowners in the country. Its financial resources were greater than those of the crown. It happened not infrequently that the king had to come to the powerful church dignitaries to ask them for financial contributions to the state treasury for purposes of government and defense. By the side of the baronial estates and princely incomes of some of the Polish bishops the wealth of even the most powerful magnates faded into insignificance.

In Great Poland, out of a total of 33,000 "*łanów kmiecych*,"¹ or hides of land under peasant cultivation, the church was in possession of 3,430 *łanów* or of 10.33 per cent.² In some districts and palatinates the estates of the church were more concentrated than in others. In the Palatinates of Poznań and Kalisz, for instance, they formed only 6 per cent. of the total land area under peasant cultivation, while in the Palatinate of Inowrocław they rose to 12 per cent., in the Palatinate of Brześć to 16 per cent., and in the Palatinate of Łęczyce to 22 per cent.³

In Little Poland, out of a total of 5,455 villages and 205 towns, the church owned 772 villages, 83 sections, or parts

¹ A Polish *łan kmiecy* (*laneus agricolae*) was of two sizes, large and small. The large *łan* called Frankish, was used as a land measure chiefly in Little Poland, and equalled 43.2 morgi, or about 57 acres. The small *łan*, known also as Flemish, used in Great Poland and Mazovia almost exclusively, equalled 30 morgi, 16 hectares, or approximately 40 acres.

² Historical Sources (*Źródła dziejowe*), Warsaw, 1883-1909, vol. xii, p. 135; cf. p. 72.

³ *Ibid.*, vol. xii, p. 135.

of villages, and 28 towns.⁴ Allowing 5.3 villages to a square mile, the proportion then prevalent, 2 sections to a village, and a quarter of a mile to a town, we find that the landed property of the church in Little Poland in the sixteenth century covered an area of 160 square miles in a total of 1,013 square miles, and constituted about 15.5 per cent. of the total estimated land area of the province.⁵ This property was about equally divided between the secular clergy and the monastic orders, the former owning 360 villages, 65 sections, and 12 towns, and the latter 372 villages, 18 sections, and 16 towns.⁶ Fully one-half of the ecclesiastical lands in Little Poland,—388 villages, 49 sections, and 9 towns, or between 440 and 450 landed estates,—were located in one palatinate, namely, that of Cracow.⁷

Mazovia had an area of 578.3 square miles, 5,990 villages numbering 23,361 hides of land under peasant cultivation, and 94 towns. The church here was in possession of 15 towns and 505 villages comprising 5,849 hides of land. This was 16 per cent. of the towns, 8.7 per cent. of the villages, and 25 per cent. of the land under peasant cultivation.⁸ The church lands in Mazovia were very intensively cultivated; for while the general proportion of "łanów kmiecych" to a Mazovian village was only 3.9, within the area of ecclesiastical estates the proportion was 11.5.

The Palatinate of Podlasie consisted of an area of 173.72 square miles, and numbered in the sixteenth century 1,304 villages, 26 towns, and 14,455 "włók wiejskich," or village hides of land.⁹ Of the 1,304 villages 30, or 2.3 per cent. containing 678.75 "włók wiejskich," or 4.7 per cent. of the total acreage under village cultivation, were in possession of

⁴ Ibid., vol. xiv, pp. 72-73; cf. table to p. 71.

⁵ 772 villages plus one-half of 83 sections = 814 villages. This divided by 5,455, total number of villages, = approximately 15 per cent. Or on the basis of 5.3 villages to a square mile: 814 divided by 5.3 = 153.5 square miles. This gives us 15.5 per cent. of total land area of 1013 square miles.

⁶ Żr. dz. vol. xiv, pp. 72-73.

⁷ Ibid., vol. xiv, p. 75; cf. chart to p. 71.

⁸ Ibid., vol. xvi, pp. 54-55.

⁹ A włoka was the Lithuanian land measure corresponding to the Polish łan, containing about 40 acres.

the Roman Catholic clergy.¹⁰ The apparently small landed property here of the bishopric and the cathedral chapter of Łuck was further supplemented by various income producing privileges like fishing rights, rents, and tolls. For instance, besides his lands the bishop of Łuck had the right to maintain and operate a "*liburnam et navigium*" on the River Bug near the town of Drohiczyn. On account of its productiveness the operation of this ferry became a bone of contention in 1570 between Christopher Iwanowski and the bishop.¹¹

In Volhynia the bishopric of Łuck owned several tracts of land numbering 14 villages with an area of 2.77 square miles, and the cathedral chapter of Łuck was in possession of 5 additional villages of 64 hides of land, covering an area of 0.8 of a square mile.¹² Besides the Latin bishopric of Łuck, there were in Volhynia two Greek Orthodox bishoprics, Łuck and Włodzimierz. Tho two owned together good sized landed estates. The figures for the totals are lacking. But one of the estates of the Greek Orthodox bishop of Łuck numbered 6 villages of 33 hides of land. The estates of the bishop of Włodzimierz consisted of two sections, including 13 villages and 1 town and covering an area of 4.38 square miles.¹³ In Podolia the estate of the bishop of Kamieniec consisted of 13 villages and 1 town and had an area of 2.4 square miles. This was further supplemented by a few other smaller properties.¹⁴

When we come to Red Russia, we find that in that part of Poland the landed property of the church was composed of 98 villages and 8 towns, forming 3 per cent. of the total land under peasant cultivation in Red Russia.¹⁵ Here most of the ecclesiastical lands were located in the "*Ziemie*" or districts of Sanok, Lwów, and Halicz. In the first they made up 5 per cent. of the total peasant cultivated lands, in the second 4 per cent., and in the third 3 per cent., although in

¹⁰ *Źr. dz.*, vol. xvii, No. 2, p. 52.

¹¹ *Ibid.*, vol. xvii, No. 2, p. 123; see also pp. 212-225.

¹² *Ibid.*, vol. xix, p. 105.

¹³ *Ibid.*, vol. xix, pp. 103-104.

¹⁴ *Ibid.*, vol. xix, p. 106.

¹⁵ *Ibid.*, vol. xviii, No. 2, p. 354.

the districts of Lwów and Halicz they maintained a percentage of four.¹⁶

In Ukraina by far the most extensive and the best located estates were those of the Latin clergy. The largest contribution in the nature of a land tax paid into the Commonwealth Treasury in 1581 was that of the cathedral and the cathedral chapter of Wilno, 158 and 133 Polish florins respectively. The only other large land owners, approaching anywhere near the clergy, were the Wiśniowieckis and the Kmitas, the former paying a contribution of 110 złp. and the latter of 90 złp. All the rest averaged only 35 złp.¹⁷

It is evident, therefore, that the Polish church belonged in the sixteenth century to the class of large property owners. Even in the eastern provinces of Podlasie, Volhynia, Podolia, Red Russia, and Ukraina, where its lands constituted a smaller percentage of the total land area cultivated by peasants than in the western provinces, the ecclesiastical estates were invariably large. Compared with the individual holdings of the Polish nobility and even of the crown, the estates of the bishops, cathedral chapters, and monastic institutions were everywhere baronial.¹⁸

To get a still clearer idea of the extent of the landed property of the church in sixteenth century Poland, it will be well to look at it a little more closely in the various sections of the country and compare it with that of the crown and of the nobility. We have seen that in Great Poland the church owned 10.33 per cent. of the land under peasant cultivation, in Little Poland 15.5 per cent. in Mazovia 8.7 per cent. of villages and 25 per cent. of "łanów kmiecych," in Podlasie 2.3 per cent. of villages and 4.7 per cent. of "włók wiejskich," and in Red Russia 3 per cent. of the land under peasant cultivation. For Volhynia, Podolia, and Ukraina the figures are very incomplete, and consequently the approximate proportionate amount of church property unknown. But judging by the size of some of the ecclesiastical estates we have ob-

¹⁶ *Ibid.*, vol. xviii, No. 2, pp. 66, 354.

¹⁷ *Ibid.*, vol. xxii, pp. 599-600.

¹⁸ Cf. *ibid.*, vol. xviii, No. 2, p. 355.

served in these palatinates, it is safe to infer that the percentage of church property in them was not smaller than in the immediately adjoining provinces.

Turning our attention now to the crown lands, we discover that in the most important sections of the country they were considerably smaller than those of the church. In Great Poland the crown lands constituted only 9 per cent. of the total property under peasant cultivation,¹⁹ in Little Poland 7.5 per cent.,²⁰ in Mazovia 4.6 per cent.²¹ From this it is evident that in Little Poland and in Mazovia the landed property of the church was more than twice as large as that of the crown. In Great Poland, taken as a whole, the disproportion was not quite as striking; yet in the Palatinate of Łęczyce, where the crown lands formed only 9 per cent., those of the church were more than twice as large, 22 per cent.²² In Podlasie the crown lands gained in size, assuming a proportion of 19.4 per cent.²³ But in Volhynia and Podolia they were very small in the sixteenth century; in fact, compared with the estates of the church and the secular aristocracy in these provinces, the royal estates were very insignificant there.²⁴ This disproportion was somewhat made up in Red Russia, where the crown lands comprised 22 per cent. of the total area under peasant cultivation.²⁵ while those of the church formed only 3 per cent. This comparison reveals clearly the fact that only in two provinces, Podlasie and Red Russia, the royal lands occupied a more favorable position in respect of size than those of the church. In all the other provinces of the country the landed property of the church was larger, in some decidedly larger, than that

¹⁹ Ibid., vol. xii, p. 133.

²⁰ While the church owned in Little Poland 772 villages, 83 sections, and 28 towns, the possessions of the crown consisted only of 469 villages, 60 sections and 14 towns (see *Żr. dz.*, vol. xiv, Table to p. 71).

²¹ In Mazovia the ecclesiastical possessions numbered 505 villages and the royal only 262 (see *Żr. dz.*, vol. xvi, pp. 50-51).

²² *Żr. dz.*, vol. xii, p. 133.

²³ Ibid., vol. xvii, No. 2, p. 52.

²⁴ Ibid., vol. xix, pp. 97-98.

²⁵ Ibid., vol. xviii, No. 2, p. 354.

of the crown. This, as we shall see later, had a very important bearing on royal and state finances, the problem of defense, and the attitude of the Polish nobility toward the church and its clergy. The economic implications in this matter were deeprooted and farreaching.

The individual possessions of the Polish bishops, abbots, and cathedral chapters were, by the side of those of the Polish nobles, princely. Speaking generally, they surpassed in size the estates of the secular magnates. The cathedral chapter of Lwów, for instance, had a landed estate of 10 villages,²⁶ that of Łuck of 5 villages comprising 64 "łanów kmiecych" and covering an area of 0.80 of a square mile,²⁷ and that of Gniezno of far greater proportions.²⁸ The landed estate of the cathedral chapter of Cracow consisted of 46 villages, 14 sections, and 1 town.²⁹ The endowments of monastic institutions were on the whole, of even greater proportions. The monastery of Trzemesz in Great Poland was endowed with 40 villages comprising 200 "włók chłopskich."³⁰ In Little Poland the number of monastic institutions was very large, and they were all well provided for. The Abbey of Tyniec, the oldest in the country, possessed 44 villages, 4 sections, and 5 towns; the convent of the Klarysek at Sącz, 48 villages; the monasteries of Miechów, 42 villages, 2 sections, and 1 town; Pokrzywnice, 29 villages, 1 section, and 1 town; Łysa Góra, 21 villages, 1 section, and 2 towns; Sieciechów, 21 villages, 1 section, and 1 town; Jędrzejów, 20 villages, 1 section, and 1 town.³¹ In Mazovia, the Abbey of Płock was in possession of 20 villages, and the Abbey of Czerwieńsk of 63 villages.³² Especially striking as to size were the episcopal estates. The bishop of Poznań owned in the county of Poznań 16 per cent. of the land under peasant cultivation, in Mazovia, 19 villages, and in Little Poland, 3 villages.³³ The bishop of

²⁶ Ibid., vol. xviii, No. 2, p. 266.

²⁷ Ibid., vol. xix, p. 105.

²⁸ Ibid., vol. xii, p. 136.

²⁹ Ibid., vol. xiv, Table to p. 71.

³⁰ Ibid., vol. xii, p. 137; vol. xiv, pp. 83-84.

³¹ Ibid., vol. xiv, pp. 72-73.

³² Ibid., vol. xvi, p. 57.

³³ Ibid., vol. xii, p. 136; vol. xvi, p. 57; vol. xiv, Table to p. 71.

Łuck owned in Podlasie 100 "włók osiadłych," besides "liburnam et navigium" on the River Bug near Drohiczyn, and in Volhynia 14 villages covering an area of 2.77 square miles.³⁴ The estate of the bishop of Kamieniec in Podolia consisted of 13 villages and 1 town, covering an area of 2.40 square miles, besides a number of other smaller tracts of land.³⁵ The bishop of Chełm had 11 villages, 3 towns, and other minor real estate properties. This last estate was evidently a very small episcopal estate; for as late as the beginning of the eighteenth century the bishop of Chełm was regarded as "a sola paupertate commendabilis."³⁶ The bishop of Przemyśl was lord of 18 villages and 3 towns, and the archbishop of Lwów of 29 villages and 5 towns.³⁷ The wealthiest of the Polish prelates were the archbishop of Gniezno, primate of Poland, and the bishops of Płock and Cracow. The archbishop of Gniezno was grand lord of 200 villages; 30 in the county of Gniezno, 20 in the Palatinate of Łęczyce, and 130 in Mazovia in the Palatinates of Rawa and Mazovia, covering 20 square miles.³⁸ The bishop of Płock was the owner of the most extensive landed possessions in Mazovia. His estate consisted of 232 villages and 6 towns.³⁹ The landed estates of the bishop of Cracow were the most extensive, numbering from 280 to 300 villages and covering an area of from 50 to 70 square miles.⁴⁰

Excepting the royal lands, the largest estates, whether in Great or in Little Poland, were those of the bishops or monastic institutions. They completely overshadowed the estates of the Polish nobility. Two-thirds of the landed estates of the nobility of Great Poland consisted of one village each. Even the magnates of Great Poland had comparatively small possessions. Large estates were exceptional in Great Poland, and they were either royal or ecclesiastical.⁴¹ In

³⁴ Ibid., vol. xvii, No. 2, p. 123; vol. xix, p. 105.

³⁵ Ibid., vol. xix, p. 106.

³⁶ Ibid., vol. xviii, No. 2, p. 266.

³⁷ Ibid., vol. xviii, No. 2, p. 266.

³⁸ Ibid., vol. xiv, p. 83; vol. xvi, pp. 56-57.

³⁹ Ibid., vol. xvi, pp. 56-57.

⁴⁰ Ibid., vol. xiv, p. 86.

⁴¹ Ibid., vol. xii, pp. 138-144, 168.

Mazovia the only large land owners were the king and the clergy. There was absolutely no magnate in the entire duchy equal in wealth to the bishop of Płock. In fact, outside of the clergy, there were no magnates in Mazovia.⁴² Nor was there a magnate in Little Poland equal as a landlord to the bishop of Cracow. The wealthiest of them, Prince Constantine Ostrogski, could boast of only 80 villages, an estate one-fourth the size of that of the bishop of Cracow. The next wealthiest aristocratic family, the Jordans, were lords of only 33 villages, the Zborowskis, 30, the Komorowskis, 29, the Szafraniec family, 22, and the rest had 10 to 20 villages each. To equal the landed property of the bishop of Cracow, it would have been necessary to combine the estates of ten wealthiest and foremost aristocratic families of Little Poland, whose combined properties numbered 292 villages, about the number of those of the bishop.⁴³ Viewed in the light of their landed property, the Polish bishops were not only ecclesiastical, but also secular princes. In fact, a number of them bore princely titles. The archbishop of Gniezno and primate of Poland was prince of Łowicz; the bishop of Warmia was at the same time prince of Warmia; the bishop of Cracow was prince of the Principality of Siewiersk; the bishop of Płock was prince of Pułtusk; and the prebendary of Płock was prince of Wieluń.⁴⁴

These princes of the church were also in the habit of leaving princely private fortunes to their relatives. Many Polish aristocratic families, like the Oleśnickis, the Myszkowskis, the Rytwianskis, the Górkas, and the Łaskis, owed their great wealth and power to having been left large fortunes by some of their ancestors who had occupied high offices in the church.⁴⁵ Cardinal Zbigniew Oleśnicki and Peter Myszkowski, both bishops of Cracow at different times, were notable examples in this particular. Peter Myszkowski, born in 1505 and educated abroad at Padua, on his return home received a large number of benefices, the canonries of Cracow and

⁴² Ibid., vol. xvi, pp. 61, 62.

⁴³ Ibid., vol. xiv, p. 86.

⁴⁴ Kubala, Stanisław Orzechowski, p. 97, chap. ii, n. 4.

⁴⁵ Starczewski, p. 66.

Gniezno, the prebendaries of Gniezno, Płock, Łęczyca, and Poznań, and the deanery of Cracow, so that he was called "the prebendary of the whole of Poland." In 1563 he was appointed under-secretary of state, and at the same time co-adjutor of the bishop of Płock. In 1568 he became bishop of Płock and in 1577 bishop of Cracow. In the last named office he remained for fourteen years until his death in 1591. He left his nephews a private fortune of 8,000,000 Polish florins, besides large landed estates purchased from the Oleśnickis.⁴⁶ One of his successors in office, Andrew Lipski, dying in 1630 as bishop of Cracow, left a private fortune of 900,000 ducats, not counting any real estate property. John Kuczborski, bishop of Chełm, left in 1623 in cash alone 500,000 ducats. In this connection let us recall that the bishop of Chełm was regarded as the poorest of the Polish bishops, and held up as an example of poverty. Karaffa, bishop of Płock, on his death in 1615, left his brother 7,000,000 thalers.⁴⁷ These legacies bespeak the handsome incomes of the Polish high church dignitaries.

Although some of the largest ecclesiastical estates were frequently situated along the borders of the country, and were sometimes in a somewhat primitive condition,⁴⁸ yet as a rule the lands of the church were most favorably located, and were compact and very productive.⁴⁹ They were usually grouped around the episcopal sees or monastic institutions in the most productive, most thickly settled, and most easily accessible parts of the country. A large portion of the landed property of the bishop of Poznań was located in the county of Poznań, in close proximity to the episcopal see and to the city. In the county of Gniezno, the lands of the archbishop of Gniezno constituted 22 per cent. of its area cultivated by peasants. In the Palatinate of Łęczyca, the most thickly settled and the most productive, the ecclesiastical lands made up also 22 per cent. of the total under peasant cultivation. In Mazovia

⁴⁶ *Ibid.*, pp. 120-121.

⁴⁷ *Krasiński*, vol. i, pp. 129-130, n.

⁴⁸ *Zr. dz.*, vol. xiv, pp. 78, 79, 80.

⁴⁹ *Ibid.*

in the Palatinate of Płock 71 villages belonged to the bishop of Płock. In Red Russia in the most thickly settled and most productive district around Lwów the church lands constituted 5 per cent. of the area cultivated by peasants. And when we come to Little Poland, we find that half of the ecclesiastical lands of that province,—388 villages, 49 sections, and 9 towns, or between 440 to 450 landed estates,—were located in the Palatinate of Cracow. The counties containing most of them were Proszowice, Szczyrzyce, and Książk, Proszowice leading with 183 ecclesiastical estates.⁵⁰ The number of “łanów kmiecyh” per square mile shows that these counties were the best cultivated, most productive, and the richest. The County of Proszowice numbered 62.7 “łanów kmiecyh” to the square mile, the County of Książk 40.1, and that of Szczyrzyce 32. 4. In the Palatinate of Sandomir the County of Wiślice, where again numerous ecclesiastical estates were found, numbered 41 “łanów kmiecyh” to the square mile.⁵¹

Another interesting characteristic of these ecclesiastical lands was that they invariably bordered on royal property. This close proximity of ecclesiastical estates to royal was to be found everywhere in Poland in the sixteenth century. This fact showed clearly that the ecclesiastical estates owed their existence to royal grants; that they had been carved out of the royal domain, and of the best portions of it.⁵² For wherever the ecclesiastical estates were large and numerous, there existed also a corresponding diminution of royal property. In Great Poland, Mazovia, and in Little Poland the ecclesiastical property was twice as large as the royal. In the Palatinate of Łęczyce, where the church owned 22 per cent. of the land cultivated by peasants, the king owned only 9 per cent. In the Palatinate of Płock, where the bishop of Płock owned 71 villages, the king had only 12 villages.⁵³ In the Palatinate of Cracow the church owned 440-450

⁵⁰ Ibid., vol. xiv, p. 75; cf. chart to p. 71.

⁵¹ Ibid., vol. xiv, pp. 32, 98, 104; vol. xvi, p. 20.

⁵² Ibid., vol. xii, pp. 136, 137.

⁵³ Ibid., vol. xvi, pp. 54-55.

landed estates, while the king owned only about 240 to 250 estates in that rich and easily accessible section.⁵⁴

In the light of these facts it is not to be wondered at that the royal treasury found itself in the sixteenth century constantly embarrassed; that the *szlachta* demanded "egzekucji praw," that is, the return of royal property illegally acquired; and that it was exceedingly jealous of the privileged position of the clergy and envious of its wealth.

In this connection it is well to note that a similar proximity to royal lands characterized also the large estates of the secular aristocracy. In fact, the three groups of lands went invariably together. The natural inference, therefore, is that the estates of the secular aristocracy, as the estates of the clergy, were carved out of the royal domain. That this was actually the case there seems to be no doubt. This further explains the jealousy of the secular aristocracy of the clergy. It was a question of which class would be more successful in courting the favor of the king, and as a result of it could secure additional grants of royal land. And since the estates of the church already were disproportionately large, the magnates naturally kept a jealously watchful eye on the clergy.

Striking as is the foregoing picture, it is necessary, in order to make it still more realistic, to supplement it with a number of details. It is necessary to bear in mind that the statistics here cited, giving the landed wealth of the Polish church in the sixteenth century, are minimum statistics; that while they are the best we have of the period, they are not always complete for every province; and that they do not include the private properties cultivated by serf labor. These statistics are based on Income Registers of the Commonwealth Treasury. They invariably give only minimum property figures, and only for properties from which contributions were actually collected, omitting those that succeeded in evading the payment of these contributions.⁵⁵ Then, too, they are not always complete. For instance, the extent of the church's

⁵⁴ Ibid., vol. xiv, table to p. 71.

⁵⁵ Ibid., vol. xix, pp. 1, 5.

landed property in Great Poland is calculated on the basis of statistics for only six out of the eight palatinates.⁵⁶ For the Palatinates of Sieradz and Wieluń there are no figures. Yet we know that they, too, included church lands; for the Prebendary of Płock was prince of Wieluń. Nor do our statistics include the principality of Warmia. We know, also, that the bishop of Warmia was prince of that principality. Due to the same fact, the real extent of church lands in the eastern provinces is likewise somewhat uncertain. Moreover, as has already been stated, the foregoing statistics do not include private lands cultivated by serf labor; for gentlemen paid no land tax from the "łany" which they exploited directly by means of forced labor. They give only estates cultivated by tenant peasants. The tax known as "łanowe" or "poradłne" was paid by peasants only. The private estates of the clergy and of the nobility, cultivated by serf labor, were free from this tax,⁵⁷ and consequently not listed in the tax registers. In the fourteenth and the first half of the fifteenth century the "łany" of the peasants were a great deal more extensive than the demesne estates of the nobility, clerical and lay. In the sixteenth century the peasant lands and the demesne estates were about equal in area. By the seventeenth century the ratio was inverted, greatly to the peasants' disadvantage.⁵⁸ In no way, then, is our picture of the extent of the Polish church's landed property in sixteenth century Poland overdrawn. On the contrary, it need be supplemented in a number of details. Its lines can safely be still more sharply and clearly drawn, making the picture still more striking. It is estimated that in France the landed property of the church constituted from one-fifth to one-fourth of the lands of the country;⁵⁹ in Poland, according to Dr. Kubala, the lands of the church constituted one-third of the entire landed property of the commonwealth in the sixteenth century.⁶⁰ As late as

⁵⁶ Ibid., vol. xii, p. 135.

⁵⁷ Ibid., vol. viii, pp. 392, 424.

⁵⁸ Polish Encyclopaedia, Geneva, 1921, vol. ii, No. 2, p. 85.

⁵⁹ W. S. Davis, *A History of France*, p. 44.

⁶⁰ Kubala, Stanisław Orzechowski, p. 20.

1791, after a considerable portion of ecclesiastical lands had already been sold in 1790, particularly in Galicia, the peasants of ecclesiastical lands still constituted 10.5 per cent. of the entire population of the country at that time, or one-sixth of the peasantry alone.⁶¹ At that time, besides their lands, the clergy owned also over one-tenth of the houses in Poland, or 153,551 out of a total number of 1,434,919.⁶²

Moreover, in addition to these large estates and the income derived from them, the Polish clergy were entitled to one-tenth of the gross receipts which the nobility derived from their estates, to one-tenth from the peasantry, *jura stolae*, free gifts of the pious, and, as a specially privileged class, to exemption from practically all public burdens, although the Greek Orthodox clergy were placed on the same footing with the peasants as regards taxation.⁶³ The tithes paid to the clergy by the nobility were voluntary at first, but by the middle of the fifteenth century they were made compulsory;⁶⁴ and in consequence became very obnoxious to the nobility, for they were the only tax the nobility paid.⁶⁵ Before the thirteenth century the prince called upon the population of ecclesiastical estates as well as on that of the estates of the knighthood to participate in the building of new or in the rebuilding of old strongholds, but in the course of the thirteenth and fourteenth centuries, owing to the immunities granted the clergy, the princely right to summon the population of ecclesiastical estates to perform any work on defenses was either very much curtailed or altogether abolished.⁶⁶ Also, the mayors of ecclesiastical villages were largely exempt from participation in the country's defense prior to the reign of Casimir the Great (1333-1370). In Casimir's time a law was passed, making these mayors liable to mili-

⁶¹ T. Korzon, *Internal History of Poland* (*Wewnętrzne dzieje Polski*), vol. i, chart to p. 320; see also vol. iii, p. 253.

⁶² *Ibid.*, vol. i, p. 160; vol. iii, chart to p. 250.

⁶³ *Żr. dz.*, vol. viii, pp. 147, 399.

⁶⁴ Smoleński, pp. 49, 74; see also Caro, *History of Poland* (*Dzieje Polski*), Warsaw, 1900, vol. iv, p. 40.

⁶⁵ *Żr. dz.*, vol. viii, p. 399.

⁶⁶ S. Kutrzeba, *Constitutional History of Poland* (*Historja ustroju Polski*), Lwów, 1912, 3rd ed., vol. i, p. 64.

tary service.⁶⁷ The clergy, however, disregarded and evaded the provisions of this law after Casimir's death. It was not until in the second half of the sixteenth century that the nobility brought the clergy to terms in this regard. Taking their actual receipts plus the value of their exemptions into account, Dr. Kubala estimates that the Polish clergy of the sixteenth century were recipients of one-half of the national income.⁶⁹

It was this enormous wealth of the Polish church and its clergy, actual and potential, that made the Polish nobility very restless, and gradually led it as a class to an open revolt from the Roman Catholic Church and to a determined opposition to the Roman clergy, its pretensions, its greed, and its exactions. This all the more so, since owing to its great wealth, the Polish clergy had lost its religion and its moral authority. It was far more concerned about its social position, its political influence, and its tithes than about religion and morals. Monastic discipline was loose. The ignorance of the lower clergy was proverbial. Simony was the order of the day, paving the way to higher ecclesiastical appointments. The higher clergy were wholly indifferent to religion, and cared far more for comfort, luxury, and the enjoyment of life than for the things of the spirit. Bishop Zebrzydowski of Cracow used to say: "Believe in a goat, if you wish, only pay me your tithes."⁷⁰ John Drohojowski, learned, prominent, and influential, for years bishop of Kuyavia, preached only twice in his church during that time.⁷¹

Indifferent as the Polish clergy were in matters of religion and morals, they were never found napping in matters of property and the exaction of tithes. It was this greed, this completely materialistic character of the Polish clergy, together with their immense wealth resulting in great influence and unscrupulous power, that chiefly paved the way in Poland

⁶⁷ Vol. leg., vol. i, fol. 5.

⁶⁹ Stanisław Orzechowski, p. 21.

⁷⁰ See Brückner, *History of Literature in Poland* (*Historja literatury w Polsce*), Warsaw, 1908, vol. i, pp. 99-100, 123-124.

⁷¹ Kot, Andrzej Frycz Modrzewski, Kraków, 1919, p. 121.

for Hussitism in the fifteenth century and for the Reformation in the sixteenth century. As early as 1406 and 1407 the Polish nobility in conventions at Piorków assembled deliberated regarding measures to safeguard itself against the exploitation of the clergy.⁷² In 1432, owing to a war with the Teutonic Knights and the need of large sums of money, regular taxation of the clergy was being considered.⁷³ In the course of the first half of the fifteenth century, due very likely to the unprecedented grants of Wladislaus Jagiello to the church, the nobility proposed a confiscation of ecclesiastical estates.⁷⁴ This proposal, as we shall see later, was repeated again several times in the sixteenth century. At that time the nobility protested also against the concentration of prebendaries and benefices in the hands of a few specially favored and privileged ecclesiastics, and against the exportation of annates to Rome.⁷⁵ These protests, too, were renewed in the sixteenth century. In 1544 the Diet voted that the king take steps to secure the Pope's consent to the retention of the papal tax within the country for purposes of defense.⁷⁶ The desired papal consent had evidently not been given, for the Diet of 1567 voted the retention of the annates, with the king's consent, even though against the wishes of the Pope.⁷⁷ These annates amounted to 21,266 florins annually,⁷⁸ and were to strengthen the national treasury (*Skarb rawski*). But according to the treasury registers these annates were not being paid in. In every annual summary report of the Treasury a note is found, stating that the higher clergy, from whom these annates were due, had not paid them in, with

⁷² Smolenski, p. 75.

⁷³ Caro, vol. iv, p. 35.

⁷⁴ Brückner, vol. i, p. 100; cf. Caro, vol. iv, pp. 85-89.

⁷⁵ Brückner, vol. i, p. 100.

⁷⁶ "De spiritualibus beneficiatis, qui sacerdotes actu non sunt, erit Sacrae Majestati curae, ut apud Pontificem Romanum impetret, quo possint personaliter ad hoc bellum proficisci, per quem quidem Nuntium annatas impetrare conabitur, quas ei nostri Episcopi, contra Concilii Basiliensis decretum pendabant" (Vol. leg., vol. i, fol. 585).

⁷⁷ "We permit that the annates be kept within the Crown for the defense of the Commonwealth" (Vol. leg., vol. iii, fol. 729).

⁷⁸ *Żr. dz.*, vol. viii, p. 143.

the exception of Krasiński, bishop of Cracow, and his successor, Peter Myszkowski.⁷⁹ So stubborn were the bishops that the Diet of 1569 threatened them with collecting double the amount from all the delinquent payers, and the Diet of 1576 had to call upon them again to comply with the law regarding annates.⁸⁰

By a law of 1496 and 1505 the nobility, with its eye on the wealth of the church, restricted all the higher ecclesiastical offices and preferments to itself and its sons, excluding from them the townspeople and all plebeians.⁸¹ In 1510 and again in 1527, as the needs of the country were steadily growing, it was proposed that the clergy share in carrying the burdens of the country's defense along with the nobility. In all proposed measures of treasury reform in the sixteenth century the clergy were singled out as the wealthiest estate in the land and placed at the head of the lists of those best able to help bear public burdens. In some of the proposals they were asked to give up their tithes to the needs of the country, and bishops and abbots were urged to contribute the annates to the national treasury.⁸² The clergy, however, protested vigorously. They were opposed to any taxation of their property; at the same time they were also reluctant to make voluntary contributions.⁸³ The collection of the "subsidium charitativum" was always a very difficult matter. Out of the 40,000 florins, which the clergy agreed in 1510 to

⁷⁹ "Annatae ab episcopis juxta constitutiones sunt omnes retentae, nullus enim illorum eandem thesauro r. p. intulit, praeter olim Krasinski episcopum Cracoviensem et modernum episcopum Cujaviensem" (Note in "Ks. Kwarty 11" of the year 1578. Similar notes are found in "Ks. Kwarty 12" of the year 1580 and in Bk. 15 of the year 1581). Regarding Bishop Myszkowski the Crown Register under date of March 13, 1578, contains this note: "annatam ex episcopatu Cracoviensi intulit, quam nos in usum belli Gedanensis conversam esse hisce literis nostris testamur" (Żr. dz., vol. viii, p. 143).

⁸⁰ Vol. leg., vol. ii, fol. 782, par. 12, fol. 908, par. 9. It looks as if the actions of the Diets of 1569 and of 1576 had produced some results.

⁸¹ Vol. leg., vol. i, fol. 262 ff., 302 ff.

⁸² Żr. dz., vol. viii, pp. 383, 385.

⁸³ A. Sokolowski, *History of Poland (Dzieje Polski)*, Vienna, 1904, vol. ii, pp. 220, 227.

contribute toward the country's needs, only 7,000 florins actually came into the national treasury.⁸⁴ At the synod of 1577 the clergy manifested the greatest reluctance to make any contribution,⁸⁵ and the same thing was true in every case until the end of Poland's national existence toward the close of the eighteenth century.⁸⁶ Yet in justice to the clergy it must be said that once in a while they did manifest unusual liberality. Inspired by the new religious reform movement of the century, the nobility went so far in 1536 and 1537 as to propose confiscation and a sale of all ecclesiastical estates, which were tax-free, and on account of which the nobility had to bear all the heavier public burdens.⁸⁷ In 1563 it at last succeeded in securing actual taxation of ecclesiastical property.⁸⁸ In 1576 it again protested against the great wealth of the church.⁸⁹ And so practically throughout the sixteenth century it struggled under the inspiration and with the help of the religious reform movement against the social and economic oppression and exactions of the Roman clergy.

⁸⁴ Ibid., p. 220.

⁸⁵ *Żr. dz.*, vol. iv, p. xxiii.

⁸⁶ Korzon, *Internal History of Poland*, vol. iii, p. 169.

⁸⁷ Sokołowski, vol. ii, pp. 282-283.

⁸⁸ See above, pp. 60-61.

⁸⁹ *Vol. leg.*, vol. ii, *Laws of 1576*.

CHAPTER IV

THE CONFLICT BETWEEN THE POLISH NOBILITY AND THE CLERGY: ITS ECONOMIC ASPECTS

Besides the great wealth of the church as such, there existed a whole series of potent causes, all essentially economic in their nature, leading to a revolt from the established church and furthering the spread of religious reform.

The social classes in Poland affected by the Reformation were the townspeople and the *szlachta* or nobility. Of the two the most influential class as well as the most instrumental in the promotion of the religious reform movement was the nobility. The townspeople were unfortunately largely of German nationality, foreigners in a foreign land, and consequently without either social or political influence. The nobility, however, was both Polish and politically powerful. In the sixteenth century it constituted not only the Polish nation but also the Polish state. Hence, as in Germany the Reformation owed its firm foothold to the protection of the German princes, so in Poland it owed its spread to the protection of the Polish nobility, particularly the magnates.

The political foundation underlying the *szlachta's* favorable attitude toward the Reformation, its open revolt from the established church, its bitter and determined conflict with the Roman hierarchy, and its enthusiastic support of the new religious movement consisted of a number of special fundamental rights and privileges guaranteed it by various royal charters. The first important charter was the Pact of Koszyce of 1374. By this pact, in exchange for its consent to extend the right of succession to the Polish throne to the daughters of Louis of Hungary, including even the youngest, Jadwiga, the Polish nobility as a class was guaranteed exemption from all public burdens except a nominal tax of two "grosze" per "łan kmiecy," which in reality was paid by the peasantry rather than by the nobility, freedom from royal levies of special or extraordinary taxes, compensation for military ser-

vices outside the country and damages for injuries or losses sustained in the course of such foreign campaigns.¹ Moreover, royal appointments to high public offices of state in any part of the country were restricted by this pact to the native nobility therein resident to the exclusion of possible foreign favorites of the crown.² Thus, by this pact the *szlachta* obtained a very important economic advantage, and secured itself as a class against arbitrary fiscal oppression or political discrimination by the king.

In 1422, forced by fiscal and judicial abuses and economic oppression, particularly by the forcible measures employed by the clergy in their collection of tithes from heretical and recalcitrant Hussite members of the nobility,³ the *szlachta* took advantage of a war exigency, and in the camp at Czerwińsk, Mazovia, on the eve of a military expedition against the Teutonic Knights, exacted another charter from the king, Wladislaus Jagiello, known as the Privilege of Czerwińsk. By this charter, among other things, the Polish nobility was guaranteed inviolability of its hereditary property rights against any arbitrary action either of the king or any of his official representatives. The king promised the nobility not to seize or to confiscate, nor to allow any of his officials to seize or to confiscate the hereditary property of any one of his subjects, whatever his rank or condition, without due process of law.⁴ This royal guaranty henceforth precluded any

¹ Guaranteeing to compensate the *szlachta* for their participation in foreign expeditions and for injuries sustained in them, Louis of Hungary simply confirmed and further enlarged a right which had been previously granted by Casimir the Great by the Statute of Wiślice of 1347, where we read: "Sed extra Regni metas nobis servire non sunt obligati, nisi ipsis satis competens satisfactio per nos impendatur, vel per nos specialiter fuerint petiti et rogati ad hoc" (Vol. leg., vol. i, fol. 44).

² Ibid., fol. 57.

³ Sokołowski, vol. i, p. 295.

⁴ "... item, ut gratia uberiori consolentur a nobis, etiam nos fide et serviitiis amplioribus prosequantur, promittimus, quod exnunc et de caetero nunquam alicujus subditi Regni nostri, cujuscunque dignitatis, eminentiae, status aut gradus fuerit, bona haereditaria recipiemus, confiscabimus, recipi vel confiscari faciemus, nec se de eis per nos vel officiales nostros vel alios quoscunque homines intromitemus vel intromitti faciemus pro quibuscunque excessibus aut culpis,

unfair oppressive exactions from the szlachta under threat of confiscation of property or any arbitrary interference with the property rights of any szlachcic on the part of either the king or his officials. That the exaction of this guaranty was a foresighted master stroke on the part of the Polish nobility is proved by the Edict of Wieluń, issued only two years later, which decreed the confiscation of property of heretics.⁵ Had it not been for the Privilege of Czerwieńsk, the Polish nobility would have been left wholly at the mercy of the clergy.

A few years later Wladislaus Jagiello, desirous to secure the Polish throne for his sons, born of his fourth marriage, sought to obtain their recognition as his successors by the Polish estates. The Polish nobility acceded to the wish of the king, but in consideration of this concession sought and obtained at Jedlnia in 1430 the famous charter generally known as the "*Neminem captivabimus, nisi jure victum*" privilege. This charter constituted the Polish "*habeas corpus*" act. According to its terms no nobleman could be arrested except upon the verdict of a court or when actually caught in the act of committing arson, murder, rape, or village plunder.⁶ By its provisions the personal liberties of the Polish nobility were both enlarged and more securely guarded. The two privileges, that of Czerwieńsk and that of Jedlnia, were of great importance and value to the Polish

nisi prius super hoc preceadat judicium nostrorum, quos ad hoc deputaverimus, cum nostris praelatis, baronibus, matura cogitio et sententia sequatur" (Vol. leg., vol. i, fol. 83).

⁵ See Appendix, No. 1.

⁶ "*Caeterum promittimus et spondemus, quod nullum terrigenam possessionatum pro aliquo excessu seu culpa capiemus seu capi mandabimus, nec aliquam vindictam in ipso faciemus, nisi iudicio rationabiliter fuerit convictus, et manus nostras vel nostrorum Capitaneorum per iudices ejusdem terrae, in qua idem terrigena residet, praesentatus; illo tamen homine, qui in furto et publico maleficio (ut pote incendio, homicidio voluntario, raptu virginum et mulierum, villarum depopulationibus aut spoliis) deprehenderetur; similiter illis, qui de se nollent debitam facere cautionem vel dare juxta quantitatem excessus vel delicti, duntaxat exceptis. Nulli autem bona seu possessiones recipiemus, nisi fuerit judicialiter per iudices competentes vel Barones nostros nobis condemnatus*" (Vol. leg., vol. i, fol. 93).

nobility; the former guaranteed the inviolability of its property, the latter of its persons.

The other two very important charters obtained by the Polish nobility were the Statutes of Nieszawa of 1454 and the "Nihil Novi" Constitution framed by the Diet of Radom in 1505. The distinguishing features of these two documents were matters of jurisdiction and legislation. By the first the szlachta freed itself from the jurisdiction of royal administrative officials. From now on it was subject to the jurisdiction of the starostas, the royal administrative and judicial officials, only in four kinds of cases, arson, murder, rape, and theft. In other cases it was subject to the jurisdiction of provincial courts, for which, according to the Statutes of Nieszawa, it secured the privilege to nominate in the event of vacancies four candidates for judge, assistant judge, and court clerk. From these nominees of the provincial szlachta the king selected one for the respective vacancy.⁷ In this way by its control of the provincial judiciary the szlachta assured for itself a fairer administration of justice. By the second it freed itself from arbitrary legislation. According to the Constitution of Radom the king was not permitted to make any new laws without the common consent of the senate and the representatives of the szlachta.⁸ By this constitutional provision the rank and file of the nobility represented in the Chamber of Deputies came now into full control of legislation, and became masters of their own destinies.

By these charters the Polish nobility was guaranteed the most important fundamental rights and liberties of free citizens, freedom from taxation without its consent, security of person and of property, fair administration of justice, and immunity from arbitrary royal decrees jeopardizing its fundamental rights. Protected by these guaranties the Polish nobility was free to assume and to maintain any attitude it pleased toward the Reformation movement. It could with a

⁷ Ibid., fol. 250.

⁸ Ibid., vol. i, folios 299-300. "De non faciendis constitutionibus sine consensu conciliariorum et Nuntiorum Terrestrium."

reasonable degree of safety defy the king and Pope alike. This is what helps us to understand the spread of the Reformation in Poland in the face of numerous royal edicts against heresy and heretics, with their extremely severe penalties of exile, confiscation of property, infamy, and even death.

The economic basis of the ecclesiastical revolt of the Polish nobility, and a most powerful motive therefor, was created by the commercial and industrial transformation of Poland in the sixteenth century. The chief causes leading thereto were three significant historical events, all happening during the second half of the fifteenth century; namely, the conquest of Constantinople by the Turks in 1453, the discovery of America by Columbus in 1492, and Poland's final complete triumph over the Order of the Teutonic Knights, sealed by the Peace of Thorn in 1466. The first closed the old paths of commerce with the Levant and the Orient; the second opened up new trade routes and new markets to the West; the third added West Prussia with the city of Danzig to Poland, and gave that country control of the lower course of the Vistula River and free access to the sea.

Owing to the first two historical events, the commercial centre of Europe shifted from the coasts of the Mediterranean to the coasts of the Atlantic and the Baltic, and the countries lying along these coasts profited by this change.⁹ The cities of Antwerp, Bruges, Amsterdam, and Danzig became great emporia of Northwestern Europe. Toward the close of the fifteenth and during the sixteenth centuries the commerce of the Baltic turned out to be the hub of European commerce with the port of Danzig as its centre. From 1466 on the commerce of that city grew steadily. In 1428 the number of ships that arrived in Danzig was 110. In the years 1422, 1429, 1430, and 1432 flotillas of 70, 61, 40, and 59 ships laden with corn sailed from its port. In 1474, 1475,

⁹ Henry C. Vedder, *The Reformation in Germany*, New York, 1914, p. 33; Adam Szelągowski, *Money and the Overturning of Prices in the 16th and 17th Century in Poland* (*Pieniądz i przewrót cen w XVI i XVII wieku w Polsce*), Lwów, 1902, pp. 60-63.

and 1476 the ships arriving in Danzig numbered 403, 525, and 634 respectively. Again, in 1490, 1491, and 1492 the number of ships sailing from Danzig was 720, 607, and 562 for the respective years.¹⁰

The main articles of its import were cloth from the Netherlands, England, and Scotland; linen from Scotland; salt from France, Germany, England, and the Netherlands; horses from southern Sweden, Finland, and the islands of Oeland, Gottland, and Bornholm; iron from Sweden; and wines, beer, and hops, fish, and southern fruits and vegetables from the South of Europe.¹¹ The principal articles of its export were agricultural and forest products, wheat, rye, barley, leguminous vegetables, lumber, ashes, pitch, and tar. The chief producer of its exports as well as the chief consumer of its imports was Poland.¹² Toward the close of the fifteenth and throughout the sixteenth century that country was the granary of Southern and Western Europe. Its grain was in great demand in cities of Italy, Portugal, and Spain as well as in the markets of Holland, Scandinavia, France, and Scotland. In 1527 the Senate of Venice voted a premium on grain imported from Poland, and later in the second half of the sixteenth century a number of Italian rulers and the Pope himself addressed urgent requests to the city of Danzig for grain shipments.¹³ Its lumber and forest products were used by Holland, England, and Scotland for ship-building purposes.¹⁴

The annexation of West Prussia with the city of Danzig by the Treaty of Thorn, was, therefore, a very significant and happy event as regards the commercial and economic development of Poland. The place she had lost in the commerce of the East as a result of the fall of Constantinople into the hands of the Turks she now regained on the Baltic. This event enabled her to participate in the new world commerce by opening up to her a new unobstructed way to new and greater world markets. The change wrought was not only

¹⁰ Szelagowski, p. 65.

¹¹ *Ibid.*, pp. 66-67.

¹² *Ibid.*, pp. 67-68.

¹³ *Ibid.*, pp. 71-72.

¹⁴ *Ibid.*, pp. 67-68.

in the direction, but also in the nature and the volume of her commerce. The old eastern commerce was mainly transit commerce; its principal beneficiaries were the townspeople of the Polish cities. The new commerce assumed the form of export and import commerce; and its chief beneficiaries turned out to be the Polish nobles as the producers of export commodities.¹⁵

This change in commercial routes and in the nature and volume of the new commerce exerted a profound influence on Poland's economic and social conditions. The great demand for grain in Western Europe and Poland's new and easy access to world markets led to a revival of Polish agriculture, resulting in a more intensive cultivation of the soil, increasing exports of agricultural products, growing prosperity, and in new deepening interest on the part of the Polish nobility in agriculture rather than in war. Thus, while Western Europe was rapidly passing from an agricultural to an industrial stage of economic development, Poland after the middle of the fifteenth century became transformed into an intensely agricultural country, growing and exporting grain by way of the Vistula and the Baltic to meet the demand of western markets.¹⁶

To facilitate the new commerce all hitherto existing trade restrictions and barriers were removed, tolls on products transported either by water or by land were abolished, and commerce was given free movement. By a statute of Casimir Jagiello of the year 1447 the principal navigable rivers of Poland were opened to unobstructed water transportation, the public good and abundance of necessary commodities being now regarded as more important than fishing rights. At the same time all internal tolls were annulled and abolished and their collection prohibited.¹⁷ The new regulations with their penalties for their transgressors were renewed and reaffirmed

¹⁵ *Ibid.*, p. 73.

¹⁶ Cf. *Ibid.*, pp. 73, 82.

¹⁷ Vol. leg., vol. i, fol. 151-152; also fol. 153, par. "De his qui telonea absque concessione Regum exigunt."

in the reign of John Albert in 1496.¹⁸ And since there were some who disregarded these statutory provisions, as for instance the burghers of Thorn, John Albert promised to exercise special vigilance in their enforcement in order that water transportation to Danzig might be free and safe.¹⁹ Nevertheless, in spite of these laws, there still were complaints in the Diet of 1538 against the collection of transport tolls by private individuals. In consequence of these all privileges granted private individuals and towns to levy and collect road and bridge tolls, with the exception of such as were necessary for the convenience of the travelling public, were abrogated altogether.²⁰ Due to the removal of all commercial barriers and obstructions and a good and convenient channel of export, such as the Vistula was, Poland's commerce grew by leaps and bounds, bringing unprecedented prosperity to the country.

To meet somewhat adequately the demands of trade and at the same time to take advantage of the unusual opportunities for gain and enrichment, the Polish landowners turned to agriculture in dead earnest. This caused a change in the method of agriculture and created a great demand for more land and for more labor. Intensive agriculture and large scale production of agricultural products became the rule of the day. From the middle of the fifteenth century on through the sixteenth century the demesne estates of the Polish nobles and of the clergy were in process of enlargement by various methods. Waste and fallow lands were brought under cultivation, swamps were drained and made productive, and forests were cleared and the clearings were converted into fertile farms.²¹ Expropriation of village mayorships was another method by which the demesne estates were being enlarged. In the thirteenth and fourteenth centuries Polish

¹⁸ Ibid., fol. 257-258, art. "De liberis navigationibus et fluminibus ex nomine liberis."

¹⁹ Ibid., fol. 255-259, par. "De fluviis ad navigandum aperiendis praesertim circa Thorunium" and "De Thorunen, impedimento et navigatione."

²⁰ Ibid., fol. 517, par. "De teloneis pontalibus, aggeralibus. . ."

²¹ Kazimierz Rakowski, *A History of the Economic Development of the Polish State* (*Dzieje rozwoju ekonomicznego państwa polskiego*), Warsaw, 1909, p. 134.

princes, and following their example, the magnates and the clergy, in order to encourage colonization, offered special inducements to German colonizing entrepreneurs by allowing them for their services a certain amount of land free of charge and of all public burdens, and by granting them special rights and privileges, which placed them practically on an equal footing with the Polish nobility. These mayorships with their rights and privileges were hereditary. By a statute of 1423, however, the Polish landlords were given the right to buy out these village mayorships from their owners.²² The steps necessary to be taken were to summon such a village mayor before a "*judicium terrestre*," and to notify him of the intention of the lord of the manor to expropriate him. To be sure, the statute declared that this procedure was to be applied only against useless or rebellious mayors; but there was nothing easier to prove than the rebelliousness of a village mayor whom the lord of the manor wanted to expropriate. This method of enlarging the demesne estates was profitable to the lords in more ways than one. It transferred to the seigniorial reserve and its lord not only the land of the expropriated village mayor or mayors, but also the labor, the feudal dues, and all the rights and privileges which the village mayor or mayors formerly enjoyed.²³ This practice lasted from the middle of the fifteenth to the middle of the sixteenth century, and was resorted to by the Polish clergy as well as by the Polish nobility.²⁴

Still another method of increasing the demesne estates of the lords was by incorporating into the demesne estate temporarily vacant peasant leaseholds. This practice became very common after the middle of the fifteenth century. Owing to the depreciation of money values and the rise of prices, especially for agricultural products, lands leased to peasants at a certain fixed money rental were not very profitable. The lands of the manorial estate cultivated by the lord directly by forced labor were yielding far more alluring returns.

²² *Ibid.*, p. 130.

²³ *Ibid.*, p. 131.

²⁴ *Ibid.*, p. 132.

Hence, it came about that whenever a peasant left his lot, the lord of the manor, instead of settling it by leasing it out to another peasant family, simply annexed it to his seigniorial reserve and cultivated it by forced labor. This practice proved so profitable that the lords began gradually to resort to all sorts of oppressive methods for the purpose of driving the tenant peasants away from their leaseholds, so that they could then declare the deserted leaseholds as vacant, and annex them to their demesne estates. There were also instances of unceremonious transfers of peasant families to the manors and of straightforward seizures of their leaseholds. This was frequently done in case a peasant's house burned down. Instead of rebuilding it, the lord preferred to show his hospitality by transferring the peasant's family to the manor, where they became his servants.²⁵ The incorporation of deserted peasant lots into the lord's private domain was especially tempting inasmuch as such "deserted" or "vacant" peasant lots were free from the "poradnie" or "łanowe," a tax of two "grosze" paid by the nobility into the royal treasury.²⁶

Land ownership was looked upon as a special privilege of the Polish nobility. The szlachta, therefore, strove with determination toward its complete monopolization and toward the monopolization of agricultural production.²⁷ Its next step was to exclude the townspeople from land ownership, to prohibit the clergy further to enlarge their landed estates, and to restrict access to all the higher ecclesiastical offices with their rich benefices to itself and its sons. To that end it employed legislative means. By the Constitution of 1496 the Polish nobility excluded the townspeople together with the peasantry from owning any landed estates and from access to any high offices in the church. According to the provisions of that document people of plebeian rank could neither buy new landed estates, nor continue to hold those they were already in possession of. They were called upon to dispose

²⁵ Ibid., pp. 135-136.

²⁷ Ibid., p. 141.

²⁶ Ibid., p. 135.

of their lands as speedily as convenient under penalty of being deprived of them.²⁸ In like manner they were excluded also from the higher appointments in the church. Lured by the wealth connected with these appointments, the Polish nobility by law restricted eligibility to them to its own class.²⁹ The restrictions regarding ecclesiastical appointments were reaffirmed by the Constitution of 1505, and violations of them were to be punished by perpetual exile and confiscation of property.³⁰ These restrictions, however, were frequently disregarded and violated. Foreigners and plebeians in favor at the papal court succeeded in getting cathedral appointments and appointments to other high church offices and lucrative benefices. Against these flagrant violations of the law the szlachta rose in protest at the Diet of 1532, demanding enforcement of the statutes of 1496 and 1505 and punishment not only of those who contrary to law secured higher ecclesiastical appointments, but also of those who helped them to get these appointments.³¹ But these protests and the new constitutional provisions seemed to remain without effect, for in 1533 the szlachta of Great Poland presented the king with a memorial, protesting again against appointments of foreigners and plebeians to cathedral churches. The king in order to pacify the szlachta, issued a new decree, reemphasizing the fact that foreigners and plebeians were excluded from all higher ecclesiastical benefices under penalty of banishment and confiscation of property.³² However, it seems that the king himself did not conform to law; for in 1534 the szlachta presented a petition to him, requesting him to have regard for his own subjects, their laws and cus-

²⁸ Vol. leg., vol. i, fol. 271, par. "De civibus et plebeis oppida, et bona alia in iure Terrestri non possessuris."

²⁹ Ibid., folios 262-265, par. "De plebeis ad majores ecclesias non recipiendis" and "De numero plebeorum ad ecclesias recipiendorum."

³⁰ Ibid., folios 302-303, par. "De numero plebeorum ad ecclesias cathedrales suscipiendorum" and "Statuta ecclesiarum. . ."

³¹ Cf. *ibid.*, folios 511-512; Reformation in Poland, vol. ii, No. 7, p. 182.

³² *Acta Tom.*, vol. xiii, No. 2, cited by Dr. Pociecha in Reformation in Poland, vol. ii, No. 7, p. 182.

toms, to treat them with greater consideration than foreigners and plebeians, and not to appoint the latter to any high ecclesiastical offices or as his secretaries.³³ The continued disregard and violations of these constitutional restrictions angered the szlachta, and stirred it up to a growing and more determined opposition not only to the clergy, but also to Rome and the Roman Church at large, driving it more and more into the enemy's camp, the Reformation. To add fuel to the fire, the king, pressed by the Roman clergy,³⁴ issued February 4, 1535, a severe edict against heretical doctrines and books, the attendance of the Polish youth at Wittenberg or any other place infected with heresy, and ordered any such students to return home under penalty of deprivation of all honors and of perpetual exile.³⁵ The result was that at the following Diet, held the same year, the szlachta directed a strong attack upon the class privileges of the clergy, and actually succeeded in having the Diet pass three measures relative to the problem of "the execution of laws," which threatened the very foundation of the church's rights and privileges. These measures called upon all churches and monastic institutions to present at the next Diet their charters for examination, the purpose being to annul all such rights and privileges of the church as were contrary to the principles of public law and welfare.³⁶ The sessions of the Diet were very stormy, and the property of the clergy, together with their privileges, was the object of contention. In 1533,

³³ Reformation in Poland, vol. ii, No. 7, p. 183.

³⁴ "Adscripsi ego in legatione nostra, omnibus approbantibus, ut Mtas Regia serio mandaret capitaneis omnibus statuta et decreta vetera adversus excommunicatos et haereticos exequi, quorum latens venenum in locis insignioribus et libellis famosis et aliis indiciis sese prodit," wrote Primate Krzycki to Bishop Tomicki from Piotrkow, Dec. 19, 1534 (cited by Dr. Wladislaus Pociecha in *Reformation in Poland*, vol. ii, No. 7, p. 166).

³⁵ "Sacra tamen Mtas Regia Serenissimus Dominus noster his diebus ad omnes dignitarios et capitaneos edictum misit severum dogmata et libros prohibendo et jubet punire severo tali haeresi contaminatos atque a studiis haereticorum revocat adolescentes sub poena perpetui exilii," wrote M. Drzewicki to Jan Dantyszek from Gniezno, March 11, 1535 (cited by Dr. Pociecha in *ibid.*, n. 3).

³⁶ Reformation in Poland, vol. ii, No. 7, pp. 166-167.

Bishop Chojęński wrote to Archbishop Krzycki, primate of Poland, as follows:

I exceedingly regret the way the Diet dissolved, especially when I reflect and see where it all tends and to what consequences such beginnings are apt to lead. Would that it might not result in destruction of our clerical estate! For we see now the most arrogant and audacious people, to whose insatiable passions there is nothing sacred or inviolable, who draw inspiration and power from their wilfulness and impunity, lie in wait for the church's property. It is the duty of your Reverence, who are the head and primate of our clerical estate in these parts of ours, to watch diligently that their impious purposes may not be realized in our times at least.³⁷

When it became evident that the king did not intend to carry out the wishes of the Diet of 1535, the szlachta of Great Poland instructed its deputies to the Diet of 1536-1537 to insist on "the execution of laws," which included the matter of the church's privileges. At this Diet the Chamber of Deputies raised, therefore, most violent protests against the abuses described, and vigorously demanded conformity to law and restoration of all illegally acquired benefices and church property. At the same time the Chamber demanded that henceforth the king appoint to abbacies and other lucrative church benefices only native Poles of noble birth, or plebeians of Polish nationality in the event that there are not enough candidates of noble birth to fill vacancies. The leaders in this movement were Raphael Leszczyński, Stanislaus Myszkowski, Nicholas Krzycki, and John Sierakowski, who later on became well-known champions of the Reformation movement.³⁸ Moreover, in 1538 the Diet passed a law, according to which anyone receiving anything contrary to statutory enactments by courting the favor of the Vatican was thereby ipso facto proscribed and his possessions were confiscated. By the same law all church dignitaries residing in Rome away from their appointments were recalled, and if they failed to return to the country within a specified time, they were to be deprived of their offices and banished, and were not to be permitted to enter the country.³⁹

³⁷ Ibid., p. 167.

³⁸ Ibid., pp. 167, 183.

³⁹ Vol. leg., vol. i, folios 526-627, par. "De plebeiis et cortesanis."

But high ecclesiastical offices richly endowed were after all limited in number. If the Polish nobility was to find larger access to the landed property of the church, it had to get to it in other ways, which it did. If the secular nobles were keen in buying up village mayorships, so were the Polish clergy. In fact, they were in possession of more mayorships than the secular nobles.⁴⁰ Then, too, their landed estates were further augmented by bequests of pious persons. These things were a thorn in the flesh to the Polish nobility. It sought ways and means of preventing this constant increase of church property. As early as 1510 testamentary bequests of real estate property to the church were prohibited by statutory enactment.⁴¹ In 1534 the szlachta at its provincial diets unanimously demanded that the General Diet restrain the clergy from buying up village mayorships, with the result that in the end a law was enacted prohibiting all transfers of estates with nobility rights and privileges to the clergy whether by gift, sale, or any other method.⁴² The stormy Diet of 1536-1537 went still further, demanding the secularization of all ecclesiastical estates and the sale to the szlachta of all the newly acquired lands of the clergy.⁴³ Nor did the nobles stop at mere demands and legislative enactments; occasionally they took matters directly into their hands. For instance, whenever and wherever there was an opportunity to seize the land of a parish priest or a prebendary, the nobles were quite ready to take advantage of it. In the sixteenth century, influenced and encouraged by the Reformation movement, the Polish nobles did not hesitate to resort to that method of dealing with ecclesiastical property, and of thus enlarging their own demesne estates.⁴⁴

Moreover, the revival of agriculture created a demand not only for more land, but also for more labor, and cheap labor. We have already noted that farming by tenant peasants was

⁴⁰ Kutrzeba, p. 93; Reformation in Poland, vol. ii, No. 7, p. 174.

⁴¹ Vol. leg., vol. i, fol. 369, par. "De testamentis condendis"; see also fol. 374.

⁴² Reformation in Poland, vol. ii, No. 7, pp. 174, 176.

⁴³ Ibid., pp. 173-175, 176.

⁴⁴ Rakowski, p. 145.

not any more profitable to the landlords in the sixteenth century, and that there was a strong tendency to annex the peasant leaseholds to the demesne estates. But as the demesne estates increased in size the labor problem grew more acute every day. To solve it, the noble landlords began to change the status of the peasants by legislation. Thus former free peasants became gradually, as a result of a series of legislative enactments, *glebae adscripti*. They were not any longer free to leave their masters at will; and if they did, their masters had the right to demand their return, or to pursue them and bring them back.⁴⁵ Of a family of peasant children, only one might leave the estate on which he was born, and go to the city into service, or for the purpose of study or of learning a trade.⁴⁶ An only child was forbidden to leave the land; he had to pass into the serfdom of his parents.⁴⁷ And if a peasant youth escaped, he was to be restored to his master under penalty of forty marks.⁴⁸ Not only were the Polish peasants bound to the soil in the sixteenth century, they were now also compelled to do forced labor on their masters' estates. In 1477 the provincial diet of "Ziemia chełmska" established one day a week of forced peasant labor on the estate of the lord. In 1520 the General Diets of Thorn and Bydgoszcz extended this local provision to the peasants on

⁴⁵ See Vol. leg., vol. i, fol. 259, par. "De fugitivis kmethonibus"; fol. 367, par. "De colonis fugitivis restituendis"; fol. 503, par. "Consulentes commoditati rei communis domesticæ Regni nostri. . ."; fol. 524, par. "De profugis kmethonibus."

⁴⁶ "Statuimus quod tantummodo unus filius de villa a patre recedere possit ad servitia, et præsertim ad studia, aut literarum, aut artificiorum, reliqui maneant in hæreditate cum patribus" (ibid., fol. 260).

⁴⁷ "Et si unicus fuerit, ille in hæreditate maneat et laboret in domo cum parentibus, vel in eadem hæreditate quam parentes incolunt, aut domicilium, aut servitium, aut victum acquirat" (ibid., fol. 260).

⁴⁸ "Quod si aliquis adolescens villanus, præter istud decretum, fugiens repertus fuerit, sive in civitatibus et oppidis sive alibi ubicunque, ille domino loci illius a quo fugit, sine juris strepitu restituatur, sub poena quatuordecim marcarum, et nihilominus illi qui eum retinuerint, poena toties quoties secus fecerint soluta, ad restitutionem sint astrikti" (ibid., fol. 260).

all the manors in the country.⁴⁹ Thus what had hitherto been a matter of private arrangement was now made a statutory and universal obligation. And gradually as time went on the number of forced labor was increased to two days a week and more.⁵⁰ Worst of all, under the influence of Roman law, which recognized only masters and slaves, the Polish peasants lost also their standing before the law, and were subjected wholly to the jurisdiction of their lords.⁵¹ This removed the last vestige of the peasants' personal rights, and made them practically the property of the aristocratic landlords.

Besides monopolizing agricultural production, the Polish nobles obtained exemption from export and import duties on all products raised on their own estates for export and on all goods imported for their own use and not for trade.⁵² By this stroke they secured a monopoly advantage in trade also, and became the chief beneficiaries of all its benefits to the detriment and destruction of the Polish town population.

The changes in Poland's commerce and agriculture in the fifteenth and sixteenth centuries had a very important bearing on the country's problems of defense and finance. They disqualified the Polish nobility for warfare, and they undermined the revenues of the state. The *szlachta*, settled on the land, grew more attached to the soil and to the life of country gentlemen than to the camp and the discomforts of military service. Stimulated by the new commercial opportunities and the prospect for gain and enrichment, it naturally became more interested in agriculture and in exports of its agricultural products than in warfare and military expeditions. The rewards of agriculture and of commerce were greater, more certain, less hazardous, and consequently more alluring than those of war. Moreover, the changes in

⁴⁹ Ibid., fol. 394, par. "De laboribus kmethonum"; and fol. 396, par. "kmethones unum diem, plus minusve, septimantim laborent."

⁵⁰ Kutrzeba, p. 96; Rakowski, pp. 148-149; *Zr. dz.* vol. viii, p. 395.

⁵¹ Vol. leg., vol. i, Constitutions of 1523 and 1532.

⁵² Ibid., folios 261-262, par. "De libertate nobilium in theloneis"; fol. 298, par. "De teloneis in terra et aqua solvendis et non solvendis"; see also folios 375, 517, 594.

warfare, resulting from the invention of gunpowder, demanded the employment of new methods in the conduct of war, called for more costly equipment, which the warriors had to provide themselves at their own expense, and were fraught with greater perils to life. Naturally, therefore, the nobility grew reluctant to leave the soil, and to engage in war; and when actually called out in emergency in "pospolite ruszenie" it was far more interested in political than in military maneuvers, in extracting new privileges from the king than in vanquishing the enemy. Whether as a defensive or as an offensive force the "pospolite ruszenie" became now both physically inadequate and temperamentally unfit for war. Yet the country's wars with the Teutonic Knights, Russia, Moldavia, Courland, and the city of Danzig, and its constant menace of Tartar invasion called for a strong and ever-ready military force to repel aggression, subdue rebellion, and to protect the borders in order to guard the country's safety and to maintain its integrity and prestige.

These conditions created the necessity of hiring mercenaries. But mercenaries had to be paid. This called for more state funds, which, however, were very hard to raise. The old revenues, which even under ordinary conditions would have been inadequate for the new needs, were rendered all the more inadequate by the fact that their sources instead of being increased were actually diminished. This was due to a number of causes. The lavish generosity of the Polish kings, particularly the Jagiellos, greatly reduced the royal domain and the royal income therefrom. Exemption of the nobility by the Pact of Koszyce (1374) from all taxation except two grosze per łan kmiecy and by the Constitution of 1496 from all export and import duties, and of the clergy from all public burdens and responsibilities, contributed to the depletion of the royal treasury and to the weakening of the country's defense. This evil was still further accentuated by the processes of annexing "vacant" peasant leaseholds to the demesne estates and of buying up of village mayorships by the clergy. The first withdrew the annexed peasant lands

from taxation;⁵³ the second rendered the mayorships free from participation in the country's defense. Out of a total number of 14,000 village mayorships, which had in the past participated in the "pospolite ruszenie," only 2,000 still answered the call to arms by 1539, according to a complaint of the deputies at the Diet of Cracow of that year.⁵⁴ These things combined to impoverish the royal treasury, to put the king in constant financial straits, and to jeopardize the peace and security of the country.

To eliminate these difficulties and to provide adequate defense for the country, special contributions or taxes had to be voted from time to time. The demand for these special contributions grew greater and more frequent as time went on. With every year the nobility felt the burden of defense more keenly. It looked around for help and for new sources of revenue. These were by no means hard to find. The wealth and resources of the clergy presented an excellent source of defensive strength. The szlachta began, therefore, to demand the participation of the clergy in the responsibilities and burdens of public life and of the country's defense. This resulted in a sharp conflict between the clergy and the Polish nobility, a conflict which lasted for two centuries and which found expression in the fifteenth century in the Husite movement and in the sixteenth in the Reformation.

The Polish clergy's privileged character respecting their participation in public responsibilities and burdens constituted the most sensitive point of difference between the Polish szlachta and the Polish Roman Catholic clergy.⁵⁵ According to Casimir's Code the duty of participation in the country's defense rested upon all hereditary estates of the Polish knight-hood, regardless of the fact as to whether any of their owners happened to belong at a particular time to the ranks of the clergy or not.⁵⁶ Moreover, it was very early established that

⁵³ Ibid., fol. 375, par. "Ut de agris, hortis, et Scultetiis desertis, publicae contributiones non exigantur."

⁵⁴ Reformation in Poland, vol. ii, No. 7, p. 174.

⁵⁵ Ibid., p. 173.

⁵⁶ Vol. leg., vol. i, fol. 6, par. "De clericis bona haereditaria habentibus ad bellum ituris."

lands newly acquired by the church were subject to military service. A statute of 1437 provided that all church lands acquired by purchase within the last forty years and those that might be thus acquired in the future were required to render military service.⁵⁷ But throughout the fifteenth century the owners of these lands were clever and successful enough in evading these provisions and in maintaining the principle of their freedom from participation in the country's defense. In 1506 at the Diet of Lublin they even succeeded in securing royal sanction of their freedom from rendering military service due from these lands. Gradually, contrary to the law of Casimir the Great, they extended this principle of their exemption from military service even to their hereditary lands and to village mayorships purchased by them.⁵⁸

Naturally, the Polish *szlachta* rose in arms. It demanded that the mayors of ecclesiastical villages render military service as did the mayors of secular villages; that if the clergy objected, they should produce their privileges exempting the mayors of their villages from that public duty; that the Diet should prohibit the clergy from buying village mayorships; that all newly acquired ecclesiastical lands should be sold to the nobility, which was bearing the burden of public defense; that the clergy be placed on the same footing with the secular nobility in respect of participation in public defense; that their lands be secularized and the income from them be used for purposes of public defense; and that the clergy assume their fair share of special taxes levied by the diets. To be sure, all these demands were not made at once; but they were all made with varying insistence in the course of the first three-quarters of the sixteenth century.

According to a statute of Casimir the Great of the year 1347 the mayors of ecclesiastical villages as well as the mayors of secular villages were required to participate in military expeditions.⁵⁹ This obligation was reaffirmed by the Consti-

⁵⁷ Reformation in Poland, vol. ii, No. 7, p. 174.

⁵⁸ Ibid.

⁵⁹ "Quia onus praesertim quod omnes tangit inter plures divisum facilius deportatur. Quapropter statuimus, quod indifferenter omnes

tution of 1538,⁶⁰ and again in 1550.⁶¹ But, as we have already noted, the clergy succeeded in evading these statutory provisions not only throughout the fifteenth, but also in the sixteenth century. It is not strange, therefore, to find that as the burden of defense was increasing in weight the Polish nobility repeatedly demanded that the mayors of ecclesiastical villages take part in the country's defense in compliance with the law. The first demand of this nature in the sixteenth century was made as early as 1510; then we find it repeated at the Diet of 1536-1537; and again in 1563. In 1510 the king referred the question at issue to the provincial synod for review, and the synod was to report on it at a subsequent general diet.⁶² But the matter was evidently laid aside and remained so as long as it was possible to keep it from coming to the front again; for when it was brought up at the Diet of 1536-1537, it was again treated in a similar manner. The bishops agreed to comply with the law, provided it was proved to them that the mayors of their villages were subject to military service. Their special privileges, which they claimed to possess, were to be examined at the following synod, and then the matter was to be reported on at the general diet.⁶³ Presumably the matter stopped there as before; for at the Diet of 1558-1559 the Chamber of Deputies raised the old question again, and demanded of the bishops the presentation of their special privileges exempting

sculteti tam spiritualium quam etiam saecularium personarum juxta ipsorum facultates ad quamlibet expeditionem nobiscum transire teneantur" (Vol. leg., vol. i, fol. 5).

⁶⁰ See *ibid.*, fol. 532, par. "De Scultetis spiritualium."

⁶¹ See Zakrzewski, pp. 117, 118.

⁶² Balzer, *Corpus juris Polonici*, vol. iii, No. 51, par. 17; *Reformation in Poland*, vol. ii, No. 7, p. 174.

⁶³ "Visum est, ut si probatum fuerit Scultetos spiritualium teneri ad expeditionem bellicam, Sculteti eorum sint obligati deinceps Nobiscum in bellum proficisci: praeter eos qui privilegiis essent ab expeditione exempti et liberati; quae privilegia, domini spirituales, in Synodo proximo, postquam praeterita, propter mortem Domini Archiepiscopi effectum sortita non est, se recensere promiserunt, et illa post modum in Conventu Generali Regni, proxime post Synodum futuro exhibebunt; ut ex illis fiat cognitio de immunitate Scultetorum seu Advocatorum; vel obligatione ad praestandam et sustinendam bellicam expeditionem" (Vol. leg. vol. i, fol. 532).

the mayors of ecclesiastical villages from military service. But even then the clergy did not produce this documentary evidence until at the Diet of 1563; and when actually produced, it was found wanting, owing to its indefiniteness.⁶⁴

The stubborn opposition of the Polish hierarchy to share in the burden of defense in this mild form caused the Polish nobility to stiffen its demands. Since the Polish bishops so strenuously objected to the participation of the mayors of ecclesiastical villages in the *pospolite ruszenie*, the *szlachta* came forward at the Diet of Thorn in 1520 with the demand that the clergy as a class be put on the same level as the secular nobility in regard to military service.⁶⁵ All the clergy in possession of landed estates were to participate in the *pospolite ruszenie* along with the *szlachta*. This demand was renewed and firmly insisted upon at a local diet of the nobility of Great Poland at Kolo in 1533, at the General Diet of 1535,⁶⁶ and even as late as 1562 at the Diet of Piotrków.⁶⁷ This summary demand on the part of the Polish nobility that the clergy as a landowning class share equally with the *szlachta* the burden of defense startled the clergy, and finally induced them to present their documentary privileges, on which they based their claim of exemption from the burden of defense at the subsequent Diet of Piotrków, which met in the fall of 1563. On examination these documents were found to be anything but explicit and clear; yet the nobility had relented by this time, and ceased pressing this particular demand any further.⁶⁸

Owing to this stubborn opposition on the part of the clergy to their personal participation in military service and to that of the bailiffs of ecclesiastical villages as well, the Polish nobility turned its attack now directly upon the landed property and the incomes of the clergy. In 1534 and in 1535 it vehemently protested against the purchases of village baili-

⁶⁴ See above, p. 60, cf. Vol. leg., vol. ii, fol. 623, par. 56.

⁶⁵ *Acta Tom.*, vol. v, p. 128, cited by Dr. Pociecha in *Reformation of Poland*, vol. ii, No. 7, p. 174.

⁶⁶ *Reformation in Poland*, vol. ii, No. 7, p. 174.

⁶⁷ Vol. leg., vol. ii, fol. 623, par. 55.

⁶⁸ See *ibid.*; above, p. 60.

wicks by the clergy. In 1536-1537, at the Diet of Piotrków, it went still further, and urgently demanded the secularization of all ecclesiastical property. As a result of this determined stand, a plan was actually agreed upon between the Chamber of Deputies and the secular members of the Senate for partial secularization of church lands. According to this plan all ecclesiastical lands acquired by the clergy whether by gift or by purchase since Louis the Great, 1370-1382, were to be sold to the nobility.⁶⁹ The demand for the secularization of ecclesiastical estates was first made in the first half of the fifteenth century, then in 1524, with increasing vigor and insistence at the Diet of Piotrków in 1536-1537, and again in 1576.⁷⁰ How determined the Polish nobility was to get hold of the property of the clergy may be seen from the fact that in 1539, when the old king, Sigismund I, was critically ill, a conspiracy was actually formed, the purpose of which was not to recognize Sigismund Augustus in the event of his father's death until he agreed to and sanctioned the confiscation of one-third of the church lands for purposes of national defense.⁷¹ The leaders in this conspiracy, as well as in the rebellion of 1537, were Martin and Peter Zborowski, ardent advocates of the Reformation after 1550.

Nor were the incomes of the clergy to escape the Polish nobility's attack. Whenever the country was in financial straits, the nobility in a general diet assembled voted special taxes to meet special emergencies. The clergy, however, were not liable to these special taxes voted by the diets. They claimed exemption from them. Yet they did come forward in each emergency with a voluntary contribution, known as "*subsidium charitativum*." This was based on a general estimate of the clergy's general income. As this estimate usually constituted only one-third and frequently one-eighth of the real income of the clergy, their voluntary contributions based on such estimates were obviously far below their ability to pay. Manifestly this was unfair and unjust to the nobility.

⁶⁹ Reformation in Poland, vol. ii, No. 7, p. 176.

⁷⁰ See above. p. 98; Reformation in Poland, pp. 174-175.

⁷¹ Zakrzewski, pp. 237-238.

It, therefore, demanded that the clergy pay a contribution based on an evaluation of their specific sources of revenue, such as their estates, their tithes, and other sources of income.⁷²

To this demand of the nobility the clergy were most decidedly opposed. At the same time they were not a little apprehensive that it might result in consequences unfavorable to them. To safeguard themselves, they voted a liberal contribution of 40,000 florins in 1511 for the purpose of redemption of certain royal lands in Red Russia; and in exchange for this contribution they exacted from the king a solemn pledge that henceforth they would be free from military obligations and from all other burdens, with the exception of the customary subsidium charitativum, based on an evaluation of their general income, in cases of a *pospolite ruszenie*. A written document confirming the pledge of 1511 was issued to the clergy by the king, December 10, 1515.⁷³ This furnished the clergy a certain legal basis for their opposition to the nobility's demands. When, therefore, the Diets of 1525 and 1527 imposed a tax on the specific sources of the clergy's income, the clergy at their Synod of Łęczyce in 1527, owing to a threatening Tartar invasion, again voted a voluntary contribution to the country's needs, but flatly refused to be taxed by the diets.⁷⁴

But if the clergy were stubborn in their resistance to taxation by the diets, so were the diets in their insistence on such taxation of clerical property. At the Diet of 1525 a revaluation of ecclesiastical property was proposed. The bishops opposed this course resolutely, fearing that a precedent might be established for the diet to tax their tithes. Their fear was not groundless. In 1529 at the Diet of Warsaw the deputies refused to take up the business of the diet until the bishops declared what percentage of their tithes they would give as a contribution to the defense of the country. The bishops

⁷² Reformation in Poland, vol. ii, No. 7, pp. 176-177.

⁷³ Balzar, *Corpus juris*, vol. iii, No. 181; see also Reformation in Poland, vol. ii, No. 7, p. 177.

⁷⁴ Reformation in Poland, vol. ii, No. 7, p. 177.

strenuously objected on the ground that the nobles did not tax their own incomes but insisted on taxing those of the clergy. The conflict reached a deadlock, and finally the whole question was referred to the king. When at the subsequent diet, called for November 11, 1530, at Piotrków, the Chamber of Deputies moved to impose a tax on the tithes of the clergy, its attempt encountered a determined opposition, not only on the part of the clergy, but also on the part of the king. In consequence of this combined clerical and royal opposition the Chamber developed an equally solid front against the immunities of the church, and demanded the passage of a law taxing the clergy in proportion to the real value of all their property. In case the clergy refused to comply, the deputies threatened to suspend all payments of tithes, and to put the proposed law through and in force at the very next *pospolite ruszenie* of the *szlachta*.⁷⁵

Nor was this an empty threat. For more than a century and a half, ever since the reign of Casimir the Great (1333-1370), the Polish nobility had chafed under the burden of church tithes. In its relation to the king it was free from all special compulsory taxes for the benefit of the royal treasury, save a nominal tax of two *grosze* per *łan* *kmiecy*, paid in reality by the tenant peasants rather than by the landlords themselves. But in its relation to the church it was not as free. The burden of church tithes rested upon it. Originally voluntary, it became compulsory in the first half of the fifteenth century; and it was a burden that could not be shifted. It was, also, a burden which the clergy never failed to exact.

Conflicts over the payment of tithes were, therefore, frequent. They occurred as early as the reign of Casimir the Great,⁷⁶ and as time went on they grew more bitter and more frequent. Owing to the growth of the church in wealth and of the clergy in arrogance as a result of Wladislaus Jagiello's great liberality and even subserviency, the nobility was forced

⁷⁵ *Ibid.*, p. 179; *Acta Tom.*, vol. xii, p. 402, as cited by Dr. Pociecha.

⁷⁶ See Kutrzeba, p. 83.

to consider measures at the Convocations of Piotrków in 1406 and 1407 for protection against this exploitation.⁷⁷ By the Privilege of Czerwieńsk forced from the king in 1422 it further secured itself against the relentless exaction of tithes.⁷⁸ A decade later the special privileges concerning tithes given the clergy by Wladislaus Jagiello in 1433,⁷⁹ and the king's assurance that he would assist in the collection of this tax, are evidence of the difficulties encountered. To force the clergy to desist from their pretensions, the nobility, under the leadership of Andrew Zbonsz, Spytek of Melsztyn, and John Strasz, decided at the Convocation of Piotrków, August 15, 1435, to withhold the payment of tithes altogether.⁸⁰ A similar resolution was adopted by the Confederation of 1439.⁸¹ These decisions, however, were never fully carried out in practice. In the second half of the fifteenth century, influenced by the economic changes that were taking place and encouraged by such radical humanistic ideas as those of John Ostrorog, embodied in his "*Monumentum pro reipublicae ordinatione congestum*," the Polish nobility moved still more resolutely toward the abolition of the tithes.⁸²

In the sixteenth century this conflict became even more determined. If the nobility objected to the tithes in the preceding century, it did so now all the more. The wealth of the church had increased as a result of the economic changes in progress, the incomes of the clergy were princely, the needs of the country greater and more exacting; and yet the clergy shirked all public burdens and responsibilities. Naturally, therefore, the nobility began to withhold the payments of tithes. The situation was so serious that the clergy became very much concerned. At several of the provincial synods, notably those of 1544 and 1551, they gave a good deal of time to discussions of ways and means by which to force the

⁷⁷ Smoleński, p. 76; Caro, vol. iv, pp. 85-89.

⁷⁸ Sokołowski, vol. i, p. 295.

⁷⁹ Vol. leg. vol. i, fols. 95-104; Caro, vol. iv, p. 40.

⁸⁰ See Caro, vol. iv, pp. 115, 116.

⁸¹ Krasiński, vol. i, p. 52.

⁸² Caro, vol. iv, p. 115; Smoleński, p. 81.

nobility to pay tithes.⁸³ But the situation seemed to be beyond repair. Incensed at the immunities, pretensions, and exactions of the clergy, the nobility was turning away in great numbers from the established church to the Reformation after 1550, and thereby was cutting down ecclesiastical revenues.

This touched the clergy in the most tender spot, and aroused them to action. To save its revenues, the church began to resort to the use of its ecclesiastical jurisdiction; it summoned the rebellious nobles before its episcopal courts, and if they did not relent and penitently submit, they were placed under the ban of the church. This procedure put the nobility, their persons, their honor, their property, and their very lives at the mercy of the clergy. Their very existence, individual and collective, was in jeopardy as long as they were subject to the jurisdiction of episcopal courts. That such a situation could not last long soon became perfectly evident. The indignation of the nobility rose to a high pitch. The relation between the two estates became more tense and hostile than ever, and inevitably precipitated a bitter struggle over the fundamental question of ecclesiastical jurisdiction.

The jurisdiction of the clergy now became an intolerable burden to the Polish nobility. Its scope had gradually expanded until, in the fifteenth century, in spite of protests and attempts to fix limits, it came to cover not only questions of religion, but also all sorts of civil matters. In fact, it so happened that there was scarcely a question that the ecclesiastical courts regarded as foreign to their jurisdiction. Their authority, moreover, was greatly strengthened when the government, by the Edict of Wieluń (1424) and by a statute of 1458 confirming it, committed the execution of their verdicts to the starostas, thus lending the clergy the executive arm of civil authority.⁸⁴

The administration of justice by ecclesiastical courts in Poland in the fifteenth and sixteenth centuries was very harsh, arbitrary, and light-minded. The most severe penalty,

⁸³ Kakrzewski, pp. 64, 243.

⁸⁴ Vol. leg., vol. i, folios 85-86; folios 194-195; "Ex quo etiam," etc.

namely, that of excommunication, which carried the confiscation of property, deprivation of honor, exile and death, was frequently inflicted upon offenders for most trivial offenses. A noble was in danger of excommunication for getting into a fight and beating a precentor, an organist, or a grave-digger, not to speak of more serious offenses, such as seizing or withholding the tithes.⁸⁵ Sometimes a landlord was excommunicated for offenses committed by his peasants on the ground that he should have used his authority to bring the peasants to terms and into submission to the church. So terrible in its consequences was the church's excommunication in the fifteenth and sixteenth centuries that everyone dreaded it.

Naturally, then, attempts were made very early to define and limit the scope and authority of ecclesiastical jurisdiction. At the Convocation of 1420, in answer to the synodical statutes of Nicholas Tromba, archbishop of Gniezno, the nobility forbade its members to appeal to ecclesiastical courts.⁸⁶ According to a document of 1433, issued to Bishop Bodzanta of Cracow, laymen were not to be cited before ecclesiastical courts.⁸⁷ In 1447 the nobility sought to confine episcopal jurisdiction to matters strictly ecclesiastical, such as questions of faith, heresy, marriage, and religious indifference in cases of those that had not confessed once a year at least.⁸⁸ Disputes over tithes, seized or withheld, according to this foregoing agreement between the nobility and the clergy, were to be settled in episcopal courts, but they were to be adjudicated according to law. If the accused failed to answer the first summons, a second one was to be issued to him at his expense; and he could not be excommunicated until he was duly tried.⁸⁹ In matters belonging to civil courts the clergy were forbidden by the Statute of 1496 to

⁸⁵ Kubala, p. 22.

⁸⁶ Smoleński, p. 76.

⁸⁷ "Praeterea volumus quod laici deinceps pro debitis et in aliis causis civilibus per clericos, ad forum ecclesiasticum non trahantur, nisi forte sit causa spiritualis, vel spirituali annexa, aut debitum fuerit decimale" (Vol. leg., vol. i, fol. 102).

⁸⁸ Caro, vol. iv, pp. 310-311.

⁸⁹ Ibid., p. 311.

summon persons before their courts.⁹⁰ By the Constitution of 1505 civil matters were withdrawn from episcopal courts altogether, and henceforth ecclesiastical judges were forbidden to adjudicate them.⁹¹ Furthermore, to avoid complications in the administration of justice and to minimize difficulties in the execution of verdicts, the Diet of 1532 called upon the clergy in synod assembled to determine what cases they regarded as belonging to their jurisdiction, and instructed the commission appointed to revise existing laws to define the exact scope of the jurisdiction of the spiritual and secular courts.⁹² Unfortunately, the commission allowed the episcopal courts too wide a scope, and consequently its report was rejected. The Statute of 1543 again undertook to define the jurisdiction of the two classes of courts, but it was in force for one year only.⁹³ And once more, a statute of 1550, confirming existing laws, provided that no person should be summoned before any court unless his case fell within the jurisdiction of that court,⁹⁴ and a clergyman was forbidden to hold the office of clerk in a secular provincial court.⁹⁵

By 1550 the question of ecclesiastical jurisdiction became one of the burning questions of the day. It was precipitated by Orzechowski's defiance of ecclesiastical authority. Stanislaus Orzechowski was a nobleman priest in the diocese of Przemyśl. He publicly announced that he would enter the state of matrimony. Bishop Dziaduski of Przemyśl in turn announced publicly that if Orzechowski should carry out his intention he would excommunicate him at once, depriving him of honor, confiscating his hereditary property, and exiling him from the country. The bishop's threat was a sweeping violation of the most fundamental rights of the nobility by the clergy. It endangered the nobility as a class. The

⁹⁰ Vol. leg., vol. i, fol. 277, "De inhibitionibus ecclesiasticis ad judicia."

⁹¹ "... quapropter decernimus et statuimus, quod judices spirituales saecularia judicia non exerceant neque judicent in futurum" (Vol. leg., vol. i, fol. 304).

⁹² Ibid., vol. i, fol. 506, "Prospicientes," etc.

⁹³ Ibid., vol. i, folios 578-581, "Differentias judiciorum," etc.

⁹⁴ Ibid., vol. ii, fol. 598, par. 41.

⁹⁵ Ibid., vol. ii, fol. 597, par. 37.

Polish nobles were not slow to see that Orzechowski's case was not merely a question of church discipline, and that if the Bishop of Przemyśl was allowed to carry out his threat, their property and their lives would not be safe. They took up Orzechowski's case as their own, and rose to his defense. They viewed the episcopal threat as an attack upon them and their liberties, and therefore resolved to stand by Orzechowski. The matter came before the Diet of 1550. Orzechowski found supporters in some of the most influential magnates of Poland, like James Górka, Martin Zborowski, Raphael Leszczyński, Nicholas Radziwill, and Nicholas Oleśnicki, all of them adherents and champions of the Reformation. Through the intervention of John Tarnowski, grand hetman of Poland, and Peter Kmita, starosta of Przemyśl, a compromise was effected, the terms of which were that Orzechowski was to apply to the Pope for sanction of his intention and was not to be married until he received the Pope's permission.⁹⁶

The compromise was absurd. It did not settle anything; it only delayed the settlement of the question raised. Górka and Zborowski, therefore, spurred on Orzechowski to break the compromise agreement and to carry out his plan in defiance of episcopal authority.⁹⁷ The magnate Nicholas Oleśnicki of Pińczów decided to make a test case of the whole issue. On the advice of the Italian reformer Franciscus Stankar, he broke openly with Roman Catholicism, accepting the Reformed faith and taking away from the monks at Pińczów their church and monastery. Immediately the Polish bishops brought charges against him. He was tried, not according to the canon law of the church, but according to the law of the country, before the king and the senate. He was acquitted on condition that he dismiss Stankar and restore the seized monastery to the monks, neither of which orders Oleśnicki actually carried out.⁹⁸

Thus spurred on by his friends, Orzechowski took courage, renounced his clerical vows, and entered the state of matri-

⁹⁶ Kubala, pp. 26-27.

⁹⁷ Ibid., p. 27.

⁹⁸ Ibid., p. 55.

mony. Bishop Dziaduski, struck with consternation, did not at first know what to do, but in the end resolved to carry out his threat. On April 8, 1551, he issued his verdict against Orzechowski, annulling his marriage and excommunicating him. On presentation of the case by the primate to the king, Sigismund Augustus confirmed the episcopal verdict in accordance with his pledge given the Polish bishops in December, 1550,⁹⁹ and instructed Peter Kmita, starosta of Przemyśl, to execute it. At the same time the king issued an order to all the starostas to execute the verdicts of episcopal courts in all cases of condemned and excommunicated heretics. Excommunicated by the church, Orzechowski was deprived of honor and property, exiled from the country, and in danger of being put to death, if caught.¹⁰⁰

The news of Orzechowski's excommunication by Bishop Dziaduski and of the royal confirmation of the episcopal verdict without a trial came like a lightning stroke from the clear sky. Orzechowski's case was the first instance in the history of the Polish Commonwealth of a noble deprived of honor and of his hereditary possessions and condemned to exile and death as a result of episcopal excommunication, without due trial, according to law, guaranteed the Polish nobility by the Charter of Jedlnia (1433). Immediately the nobles, not only of Orzechowski's province, but of the whole of Poland, rose as one man against this high-handed attack on their liberties both by the clergy and by the king. Orzechowski's neighbors were ready to defend him in case the starosta tried to execute the verdict; but Peter Kmita neither dared, nor wanted to execute it. He preferred to wait and see what the Diet of 1552 was going to do about the whole matter.¹⁰¹

The local diets of 1551, at which the szlachta elected the deputies to the General Diet of 1552, fairly seethed with the

⁹⁹ " . . . Pollicemur, nos hereticos expugnatores, ex regno nostro propulsatores, ecclesiasticas item personas eorumque jura defensuros et conservatores " (cited from Węgierski, by *ibid.*, p. 100n.

¹⁰⁰ *Ibid.*, pp. 28, 30, 55.

¹⁰¹ *Ibid.*, p. 30.

indignation of the Polish nobility. The clergy, on the other hand, greatly elated over their apparent victory and pleased with the king's stand regarding the Orzechowski affair, called a synod at Piotrków, at which they decided to bind the king still closer to their cause by offering him the estates of all condemned heretics; and to frighten the nobility into submission they excommunicated at this synod Stadnicki and Lasocki, two very influential and popular heretics in their respective palatinates. The excommunicated magnates went from one local diet to another, informed the szlachta of the ecclesiastical verdicts, reported the resolutions of the synod, and read the king's pledge given the bishops secretly in 1550 in exchange for their consent to Queen Barbara's coronation, and which had been secured and made public by Nicholas Lutomirski, castellan of Zawichow. They called upon the szlachta to defend their lives and property.¹⁰²

The indignation and anger of the nobility of Little Poland rose so high that it almost reached the point of massacring the clergy and of bringing in Protestant ministers from abroad to take their places. As deputies to the Diet of 1552 they chose the most decided opponents of the clergy, and instructed them to take up no measures until the king defined episcopal authority and invalidated the above mentioned verdicts of episcopal courts.¹⁰³

The Diet of 1552 convened at Piotrków. The secular nobility, both the senators and the deputies, were in a most hostile frame of mind toward the clergy. Even as faithful a Catholic as Hetman Jan Tarnowski refused to shake hands with Bishop Dziaduski of Przemyśl, turning away from him, when the latter came to the hetman's house to greet him.¹⁰⁴ Raphael Leszczyński, president of the Chamber of Deputies, stood with his head covered during the celebration of the opening mass. When the diet had been duly opened, the Chamber, under the leadership of Leszczyński, unequivocally demanded the abolition of episcopal jurisdiction, stating that

¹⁰² *Ibid.*, p. 30.

¹⁰³ *Ibid.*, p. 30.

¹⁰⁴ *Ibid.*, p. 31.

no other measure would be considered until that demand was complied with. The secular portion of the Senate, under the leadership of Jan Tarnowski, did not go quite so far, but it seconded the Chamber's demand to this extent, that it, too, called for bringing ecclesiastical jurisdiction within the limits of law.¹⁰⁵ The Polish nobility stood firm by their demand for the abolition of ecclesiastical jurisdiction. The bishops, on the other hand, were equally determined not to surrender it. The decision rested finally with the king. After a bitter struggle of two months, due partly to the royal vacillation, the king at last handed a decision that in all cases of heresy the bishops have jurisdiction. The verdict created no small consternation among the secular senators as well as among the deputies. But, though apparently fully victorious, the bishops, sensing the feeling against them and taking counsel of wisdom in time, consented to suspension of their jurisdiction for one year until at the next diet or at a national synod the country's laws and the church's canons could be harmonized, provided the nobles agreed to continue the payment of tithes.¹⁰⁶

This concession on the part of the Polish episcopate, did not, however, conciliate the Polish nobility. The nobles felt that their rights and liberties had been outraged and were in danger of being completely violated. The turn of events in 1552 made them only all the more determined to fight. In great numbers they came out now for the Reformation. Inside of one year nearly all the Polish nobility, according to Dr. Kubala, left the Roman Catholic Church and embraced the faith of the Reformation. The speed with which the Polish nobles tried to change their form of worship had no parallel. They invited reformers from abroad; they converted their manor houses into places of worship; they built hospitals, schools, and homes of refuge for persecuted dissidents; and the new doctrines were preached through the whole length and breadth of the country.¹⁰⁷ Great Poland,

¹⁰⁵ Ibid., p. 31.

¹⁰⁶ Ibid., pp. 35-37, 55-56.

¹⁰⁷ Ibid., p. 56.

where the influence of Hussitism still survived, accepted, under the leadership of James Ostrorog, the tenets of faith and form of worship of the Bohemian Brethren. By 1557 there were thirty Bohemian Brethren churches in Great Poland, and all the leading aristocratic families, the Ostrogs, the Leszczyńskis, the Tomicks, the Krotowskis, and the Opalińskis, turned Protestant.¹⁰⁸ Little Poland, under the leadership of the Zborowskis, Nicholas Oleśnicki, and Stanislaus Stadnicki, became Calvinistic. In "terra Sandeceniensis," the home province of Orzechowski, all the nobility became Protestant by 1554; and by 1560, according to a letter of Bishop Przyrębski to Bishop Kamerini, one hundred and sixty churches in Little Poland broke away from the jurisdiction of the Church of Rome.¹⁰⁹ In Lithuania, under the leadership of Nicholas Radziwill, the foremost aristocratic families accepted Calvinism. They were the Radziwills, the Kiszkas, the Chlebowiczes, the Sapiehas, the Służkis, the Zawiszes, the Wiśniowieckis, the Wojnas, the Paces, the Abramowiczes, the Wołowiczes, the Ogińskis, the Zienowiczes, the Pruńskis, the Naruszewiczes, the Talwoczes, the Drohostajskis, the Puzynas, the Szemiotas, the Grużewskis, the Góreckis, and others. By 1559 the Catholics in Lithuania constituted only one-thousandth part of the population.¹¹⁰ So strong was the sentiment now against the Church of Rome that men well known for their antagonism to Rome, like James Uchański and Andrew Frycz Modrzewski, were selected and sent as Poland's delegates to the Council of Trent.¹¹¹ In 1555 at the Diet at Piotrków the calling of a National Synod to adjust the existing differences and difficulties was agreed upon, and a delegation was dispatched to Rome by the king with a request for the Pope's sanction of that plan as well as of a number of practical reforms. Needless to say, the desired papal sanction was not granted. On the contrary, the Pope immediately sent a legate to Poland in the person of Alois Lippomano, bishop of Verona, to stave off any such

¹⁰⁸ Ibid., pp. 58, 101, n. 42.

¹⁰⁹ Ibid., pp. 58, 101, n. 43.

¹¹⁰ Ibid., pp. 58, 101, n. 46.

¹¹¹ Ibid., p. 56.

possibilities. In his first interview with the king Lippomano advised the Polish monarch, for the sake of an example and a warning, to execute twenty leading dissidents. Owing to his harshness and lack of tact, this papal nuncio became so unpopular in Poland, that when in 1556 he entered the Diet Chamber, the deputies shouted: "Salve, progenies viperarum!"¹¹² At the Diet of 1557 security and freedom were guaranteed all foreign Reformed ministers.¹¹³

As to episcopal jurisdiction, this became a lost cause after 1552. The bishops, having once agreed to its suspension, though only temporary, were unable to recover it again, in spite of desperate attempts.¹¹⁴ By a statute of the Diet of 1562-1563, all excommunicated persons were admitted to provincial and fortress courts (*do sądow ziemskich i grodzkich*) with their grievances and complaints, and the starostas were instructed to respect the constitutionally guaranteed privileges of the *szlachta*.¹¹⁵ The result was that no one wanted now either to appeal to or to appear in any episcopal court. This took the teeth out of ecclesiastical jurisdiction. Moreover, by the Constitution of 1565 the clergy were forbidden to summon before their courts starostas who in compliance with the statutory law of 1562-1563 refused to execute the verdicts of episcopal courts.¹¹⁶ Deprived of the executive arm of civil authority, ecclesiastical courts became powerless and their verdicts of no effect. This was a great victory for the Polish nobility. At last their lives and their property were safe from further attacks of the clergy through arbitrary exercise of their ecclesiastical jurisdiction.

All the grievances of the Polish nobility in the sixteenth century were summed up and the remedies for these grievances were contained in the demand for "the execution of laws." It was a demand of the Polish nobility for a return to the fundamental constitutional laws of the land, for con-

¹¹² Ibid., p. 57.

¹¹³ Ibid., p. 58.

¹¹⁴ See above, pp. 59-60.

¹¹⁵ Vol. leg., vol. ii, fol. 625, par. 68; cf. fol. 692, par. 74.

¹¹⁶ Ibid., vol. ii, fol. 692, par. 74.

formity in private and public life to these laws, and for elimination of abuses. Many of the social and political ills and problems of the times were due either to disregard or to open violation of existing constitutional and statutory laws. For instance, after 1454 and particularly so after 1504, it became illegal for the king either to pledge or to grant any part of his royal lands to any private individual or to any institution without the sanction of the diet.¹¹⁷ The extravagant liberality of the Polish rulers had made it necessary to make these restrictions; they were intended to safeguard the royal domain from undue diminution, the royal treasury from embarrassing impoverishment, and the country from inadequate defense. Also, it became illegal after 1454, and especially after 1505, for the king to make any new laws or to issue edicts having the force of new laws without the common consent of the two chambers of the diet.¹¹⁸ It was illegal, also, for the clergy to enlarge their landed estates either by purchase or by gift, while they evaded the responsibility of participation in the country's defense.¹¹⁹ Likewise, it was illegal for the king to confer upon them special privileges, exempting them from various public burdens.¹²⁰ Moreover, it was a flagrant violation of the constitutionally guaranteed

¹¹⁷ Ibid., vol. i, folios 184, 298-299, "De mode honorum Regalium inscribendorum."

¹¹⁸ Ibid., vol. i, fol. 299-300, "De non faciendis constitutionibus sine consensu Consiliariorum et Nuntiorum Terrestrium" et "De constitutionibus novis per proclamationes publicandis."

¹¹⁹ Cf. Caro, vol. iv, p. 311; Ref. in Poland, vol. ii, No. 7, p. 174.

¹²⁰ Compare, for instance, this special privilege given by Sigismund Augustus to Martin Cromer, canon of Cracow and the king's secretary. "Sigismundus Augustus etc. Planum, testamentumque facimus universis, quorum interest, quia contributionem, in proxima Piotrocoviensi synodo decretam et laudatam, ven. Martino Cromero, canonico Cracoviensi, secretario nostro, ex omnibus sacerdotiis in diocesi Cracoviensi remisimus, remittimusque praesentibus litteris, ac de ea ipsum quietamus ac liberamus, volentes omnino, ut contributionis eius nomine nihil ab eo per collectores illius exigatur. In cuius rei fidem manu nostra praesentibus subscripsimus et sigillum nostrum imprimi fecimus. Datum Gostinii, 20 mai anno Dni 1552." T. Wierzbowski, *Materials for a History of Polish Writings* (*Materyały do Piśmiennictwa Polskiego*), Warsaw, 1904, vol. ii, p. 7, No. 15. This is a sample of many similar exemptions given the clergy.

rights of the szlachta for the clergy to sit as their judges in matters of life, liberty, and property.¹²¹ Yet all these violations and abuses had become so common that they almost had the force of perfectly lawful acts and practices. For a time they were tolerated. But when they began seriously to interfere with the liberties and economic interests of the Polish nobility, the nobles rose against them resolutely, and with determination demanded a general reformation of conditions.

Their demand for "the execution of laws" was directed particularly against the special privileges and immunities, real or pretended, of the clergy.¹²² Beginning with the Diet of 1511,¹²³ both the secular and the regular clergy were repeatedly called upon by the diets of the sixteenth century to justify their specially privileged status and their evasion of public responsibilities and burdens by presenting their charters for examination, until at last they were forced to comply with this demand in part at least.¹²⁴ The continued insistence on the part of the nobility on the clergy's participation in public burdens resulted finally in the imposition by the Diet of 1563 of a regular tax on episcopal property and tithes.¹²⁵ In the struggle regarding ecclesiastical jurisdiction the nobility appealed to its privileges of 1422, 1433, 1454, and the Constitution of 1505, demanding the annulment of all royal edicts against heresy as unconstitutional, together with ecclesiastical jurisdiction in matters involving the nobility's constitutional rights to life and property. As a result of this appeal and demand the king issued instructions to the starostas in 1563 to respect the constitutional rights of the nobility. By this act the royal edicts against heresy and episcopal jurisdiction, whether in cases of heresy or of refusal to pay tithes, became invalidated and rendered of no effect.¹²⁶

Thus, we see that the conflict between the Polish nobility

¹²¹ Note Charters of 1422, 1433, 1454, and 1505.

¹²² Balzar, *Corpus juris polonici*, vol. iii, No. 261, pars. 7, 8, 10.

¹²³ *Ibid.*, No. 69, pars. 16, 19.

¹²⁴ See above, p. 60.

¹²⁵ See above, pp. 60-61.

¹²⁶ Vol. leg., vol. ii, fol. 625, pars. 68, 74, 692; cf. above, pp. 60, 134.

and the ecclesiastical authorities in the sixteenth century, resulting in the former's extensive revolt from the established church, was due mainly to the wealth of the Polish clergy, their immunities from public burdens, and their abuse of episcopal jurisdiction; for these not only increased the burdens of the Polish nobility, but also seriously menaced its social and economic status. Whatever particular form this conflict assumed, its underlying motives were essentially economic and social rather than religious or even purely political.

APPENDIX

1. Edict of Wieluń of 1424.—*Contra Haereticos et Fautores Eorum* Vladislaus Jagiello in Wieluń Constituit. *Sig-nificamus* tenore praesentium quibus expedit; universis praesentibus et futuris harum notitiam habituris, quod cum sub dissimulatione praeterire non debemus imo arcemur Divinae legis perpetuis institutis, pestiferos haereticorum errores, quos in Dei contemptum et in Christianae fidei detrimentum et enervationem politiaeque jacturam, iniqua perversorum corda conflaverunt, etiamsi quaecunque oporteret nos subire pericula, a finibus nostris propulsare, et in gladio dejicere, ut qui censura ecclesiae non terrentur, humana severitate mulcentur, maturo consilio Praelatorum, Principum et Baronum nostrorum habito et consensu, et etiam de certa ipsorum et nostra scientia praesentibus decernimus, et pro firmo constanti atque irrefragabili edicto teneri praecipimus. Ut quicumque in Regno Nostro Poloniae et Terris Nobis subjectis haereticus, aut haeresi infectus vel suspectus de eadem, fautor eorum vel director repertus fuerit, . . . velut Regiae Majestatis offensor capiat, et juxta exigentiam excessus sui puniatur, et quicumque venerint de Bohemia et intrant Regnum nostrum, ordinariorum suorum examini aut magistrorum haereticae pravitatis ad hoc a Sede Apostolica deputatorum vel deputandorum subdentur comprehensi. Si quis autem incolarum Regni nostri cujuscunque status, dignitatis, gradus aut conditionis fuerit, hinc ad Festum Ascensionis Domini proximum redire de Bohemia neglexerit, noluerit, vel contempserit, pro convicto haeretico censeatur et poenis subjaceat, quae haereticis infligi consueverunt, nec amplius ad Regnum nostrum revertatur moraturus. Et nihilominus omnia bona ipsorum mobilia et immobilia in quibuscunque rebus consistentia publicentur thesauro nostro confiscanda, prolesque eorum tam masculina, quam feminea omni careat successione perpetuo et honore, nec unquam ad aliquas as-

sumatur dignitates vel honores, sed cum patribus et progenitoribus suis semper maneat infamis; nec de caetero gaudeat aliquo privilegio nobilitatis vel decore. Inhibemus etiam sub eisdem poenis, omnibus mercatoribus et alijs hominibus cujuscunque conditionis fuerint, ut amodo et in posterum nullas res venales, praesertim plumbum, arma, esculenta et poculenta ad Bohemiam ducere praesumant vel portare.

—Volumina legum, I, fol. 85.

2. Contra eos, qui excommunicationis sententias ultra annum sustinent.— . . . statuimusque et ordinamus per praesentes, ut dum aliquis indigena Regni nostri, cujuscunque status et conditionis existat, propter raptum decimarum vel aliarum rerum ecclesiasticarum occupationem, aut ratione excessum quorumcunque sive etiam in contumaciam de non parendo juri et mandatis S. ecclesiae, sententia excommunicationis juste fuerit innodatus, ipsamque ultra annum legalem pertinaciter sustinuerit nec curaverit ad gemium S. Matris ecclesiae redire, et pro excessu debitam emendam exhibere, extunc anno hujusmodi elapso omnia bona ejusdem excommunicati mobilia et immobilia quae tunc possederit, debent recipi per locorum Capitaneos quibus subjacent et apprehendi tenenda et possidenda tam diu per Capitaneos hujusmodi, quousque per eosdem excommunicatos vel Capitaneos memoratos, de hujusmodi bonis damna vel valor rei ipsis laesis vel injuriam passis plenarie exolvantur. Quibus solutis bona praelibata, praefatis excommunicatis nonnisi absolutis, discernimus viceversa restituenda per Capitaneos praenotatos. Mandamus igitur omnibus et singulis Regni nostri Capitaneis et Vicesgerentibus eorundem, quatenus ad compescendam talium excommunicatorum pertinaciam duritiam et temeritatem, praemissa nostra saluberrima decreta executioni debite debeant demandari perpetue et in aevum, toties quoties, per Praelatos, aliasque personas tam ecclesiasticas quam saeculares super hoc fuerint requisiti et moniti. . . . Actum Cracoviae . . . Anno Domini 1433.

—Vol. leg., I, fol. 195.

3. Confederation against the Heretics of 1438 in Korcryn.—Nos Principes spirituales et saeculares, Barones, Comites, totaque communitas Regni Poloniae. . . . Significamus tenore praesentium . . . quod consideratis nonnullis disordinationibus, quae in ipso Regno Poloniae suboriri inceperant, visis literis praedecessorum nostrorum Posnaniae, Petricoviae, et in Jedlnia factis, circa easdem literas et earum articulos . . . remanere volumus, et usquequaque spondemus, et praecipue circa hunc articulum. Quod quicumque exstans indigena Regni Poloniae habens in ipso Regno Poloniae bona, vellet aliquas inobedientias, contra jus Terrestris commune, aut etiam gverras nobis et eidem Regno Poloniae damnosas alicui movere sine licentia Domini nostri Regis gratiosissimi, et consilij sui, et in jure Terrestris communi nollet contentari, aut etiam haereticales errores facere vel promovere vellet, contra talem seu tales cujuscunque status, gradus, conditionis, et praeeminentiae fuerint sive spirituales, sive saeculares, et in eorum destructionem consurgere volumus et promittimus, sub fide et honore nostris, absque dolo et fraude, nec ipsis auxiliis consilio vel favore patrocinari volumus sub fide et honore nostris, etiam si sanguine, affinitate et quaecunque propinquitate forent nobis aut alicui nostrum cuncti, nec pro eis loqui volumus aliquod verbum, sed eos et eorum talem quemlibet punire volumus et promittimus.

—Vol. leg., I, fol. 140.

4. The Edict of Thorn, 1520.—Edictum de libellis Lutheranis in regnum non importandis nec a quopiam adhibendis aut vendendis. Datum Thorunii, 3 Mai a. 1520.—Sigmundus Dei gratia rex Poloniae. . . . Manifestum facimus, quia intelligentes ad regnum et dominia nostra inferri nonnullos libellos cuiusdam fratris Martini Luter, ordinis Eremitarum, in quibus multa continentur tam contra Sedem apostolicam, quam etiam in perturbationem communis ordinis et status rei ecclesiasticae et religionis, ne in regno nostro ex huiusmodi scriptis errores aliqui pullurarent, officii nostri, ut Christiani principis et fidelis filii sanctae matris ecclesiae, esse duximus auctoritate et potestate nostra regia huic coepto

noxio obsistere. Mandamus igitur vobis omnibus subditis nostris et cuilibet vestrum seorsum, quod nemo deinceps audeat talia opera, ut praemissum est, in regnum et dominia nostra inferre, vendere, emere aut illis uti sub poena confiscationis bonorum omnium atque exilii, quam unusquisque, mandatum hoc nostrum transgrediens, sine ulla excusatione tam ignorantiae, quam alterius causae, subibit. Et pro gratia nostra aliter non facturi.

—Balzer, *Corpus juris Polonici*, III, pp. 579-584.

There are two copies of this edict, one dated May 3rd and the other July 24th, 1520. The second copy has "Augustiniani" after Luther.

5. Decree of Janusz, Duke of Mazovia, 1525.—*Ut nullus in toto Ducatu Mazoviae, tam in civitatibus, oppidis, quam eorum in villis, cujuscunque conditionis et status existat, praesertim in civitate Varsaviensi libros et falsam doctrinam Lutheri in quocunque sermone, sive Latino, sive Alemanico, aut quovis alio, tenere apud se, et in domibus suis habere, legere, ac ipsum falsum dogma Lutheranorum profiteri, secum portare, tueri, et aliis eandem persuadere praesumat. Ita tamen, ut quicunque de hac secta legitime convictus et probatus fuerit, talis vita privari debeat, et bona eius omnia quaecunque habet, mobilia et immobilia, confiscari et ad thesaurum Ducalem recipi debeant.*

Quod decretum Dominus Dux mandavit, in omnibus Districtibus et Capitaneatibus publicari, et diligenter per omnes Officiales exequi.

—Vol. leg., I, fol. 448, p. 223.

6. Edict of Dec. 28, 1524.—*Mandatum ad co-ercendos et puniendos Lutheranos in Capitaneatu Costensi.*—Sigismundus etc. Manifestum facimus tenore praesentium universis. Quia intelligentes sectam Lutheranam, quae cum ab ecclesia Catholica aliisque christianis regibus et principibus, tum et a nobis, ut noxia et pestifera sanctae religioni et reipublicae tranquillitati, iam dudum damnata est et prohibita, in civitate nostra Costensi et in illa vicinia pullulare, esseque aliquos

homines ita temerarios ac insolentes, ut neque Dei timore, neque edictis nostris ab hoc errore contineri queant, sed contra illa ausu temerario nitantur; volents ejusmodi insolentias et seditiosos conatus illorum ita, ut debemus, compescere, ne per nostram dissimulationem hos malum acrius invalescat: mittimus illuc Generosum Nicolaum Thomyczki, tribunum Lancie., Costensem, Pisdrensem et Coninensem capitaneum ac praefectum stabuli nostri, cui commissimus et tenore praesentium committimus, de his transgressoribus mandati nostri in ipsa re Luterana diligenter inquirere, et in compertos poena in edictis nostris contenta irremissibiliter animadvertere. Quapropter vobis proconsuli et consulibus totique communitati ipsius Civitatis nostrae Costensis, aliisque officialibus, nobilibus et subditis nostris quibuscunque districte mandamus et praecipimus, ut cum per ipsum Gsum. Nicolaum Thomyczki Capitaneum et quotiescunque fueritis requisiti, illi ad perficiendum hoc mandatum et commissionem nostram omnem favorem et auxilium praebeatis. Pro fide vestra et nostra gratia aliter non facturi. Harum, quibus sigillum nostrum est impressum, testimonio literarum. Datum in Conventionione generali Piotrcoviensi, feria festi Sorum. Innocentium (December 28.) A. D. 1524, Regni nostri A. 18-o.

—Metryka Kor., Bk. 39, DD. fol. 91. given by Zakrzewski, pp. 231-232.

7. Edict of Grodno, Feb. 15, 1522.—Literae ad Magfcom. Palatinum Cracov. et Consules Cracov., ut ponant in executionem edictum R. Mtis. contra Lutherum et ejus sequaces. Sigismundus etc. Magfco. Christophero de Schidlowyecz, Palatino et Capitaneo Cracov. et Regni nostri Cancellario. . . . Nos itaque dudum intelligentes, spargi in Regno nostro Lutheri cujusdam dogmata contra mores et instituta patrum et sanctae matris ecclesiae ac in perturbationem communis status et unitatis populi christiani, pro debito nostro et exemplo aliorum priorum Regum et principum christianorum,—non enim haec nova sunt, nec raro accidunt in ecclesia,—publico edicto mandaveramus, ut ad Regnum nostrum nulla

opera ipsius Lutheri aut alterius cujuspian sequacis ipsius inferrentur, sub exilio et privatione bonorum omnium. Contra quod edictum nostrum comperimus, istic in Civitate nostra Cracoviensi esse nonnullos ita curiosos in his, quae muneris eorum non sunt, atque ita contumaces adversus edictum nostrum, ut non cessent opuscula ejusdem Lutheri et alia id genus invehere, et propalam jam tueri dogmata ipsa letifera, in offendiculum bonarum mentium hominumque perturbationem, ac contemptum auctoritatis et mandati nostri Regii. Quod, ut merito debemus, indignissimo animo ferentes, committimus S. tuae, idque omnino habere volumus, ut tales, qui in vulgus spargunt ipsa dogmata Lutherana vel ejus opera invehunt palam vel occulte in Regnum et Dominia nostra, et praesertim istuc in Civitate Cracoviensi, aut ea vendunt, diligenter disquirat, et, ut idem Consules curent, nomine nostro illis mandet, ac in eos, qui comperti fuerint, multam edicti nostri irremissibiliter exequatur; sed et quicquid ultra in ea re curanda et animadvertenda fecerit, id nos non ratum solum, sed etiam gratiosissimum habituros non dibitet. Pro fide et virtute sua tua S. factura. Datum in Grodno, sabbato proximo ante Dominicam Septuagesimae A. D. 1522, Regni nostri A. 16-o.

—Balzer, *Corpus juris Polonici*, III, pp. 649-650.

8. Edict of Cracow, March 7, 1523.—Sigismundus etc. . . . Et quia decet Majestatem Regiam, ut in subjectis sibi populis unitas et tranquillitas conservetur, quod uno fieri solet, si instituta divina et humana, longo usu et communi comprobatione recepta, tueantur et manuteneantur, hominesque seditiosi et plus sapere volentes quam oportet, coerceantur: ideo praesenti publico edicto nostro statuimus, ut nullus aliqua opera praedicti Luteri aut ejus sequacium ad hoc Regnum nostrum et dominia nobis subjecta invehere, vendere et emere palam vel occulte audeat, nec invecta habeat, legat aut illud pestiferum dogma praedicet, approbat et tueatur, sub poena hujusmodi libellorum et operum Luteri ejusque sequacium et illius, qui praemissa ausus fuerit, incendii et

concremationis, bonorumque confiscationis et amissionis. Datum Cracoviae in conventu generali regni, 7 Martii a. 1523.

—Balzer, *Corpus juris Polonici*, IV, p. 3.

9. Edictum de libellis Lutheranis, 5 Sept. 1523.—Sigismundus . . . manifestum facimus . . . ut in primis, quancumque opportunum videretur reverendo domino episcopo Cracoviensi, fieret per inquisitores eius cum decurionibus, quos consulatus in tota civitate ad huius negotii aliorumque excessuum tollendorum custodiam delegit, per omnes et singulos domos, testudines ac cistas diligens scrutatio, et ubi aliqui libri haeretici invenirentur, illiuc poena edicti exigere-tur; deinde ut impressores librorum nihil prorsus imprimere et bibliopolae vel alii quicunque exponere ac vendere deinceps audeant ex libris undecumque adductis, nisi illos rector universitatis prior viderit et tam imprimi quam vendi permiserit, sub poenis praedictis. Ut autem et reliquae civitates nostrae hoc exemplo insistant, ac unusquisque tempori praemoneretur, ne ipsa mandata nostra regia transgrediatur et ignorantiam praetendere possit, nos hanc ipsorum consiliariorum simulac consultatus Cracoviensis ordinationem per has litteras nostras omnibus testatam esse volumus, mandates omnibus aliis civitatibus regni et dominiorum nostrorum, ut ad eum modum edicta nostra exequendi faciant cum loci ordinariis aut eorum delegatis ordinationes opportunas easque diligentissime exequantur. Datum Cracoviae, 5 Sept., 1523.

—Balzer, *Corpus juris Polonici*, IV, pp. 29-30.

10. Literae de haeresi ad Capitaneos.—Sigismundus etc. . . . Complures anni jam intercesserunt, cum, gliscente peste Luterana, dederamus ad F. tuam mandatum, ut passim omnibus ediceret, ne profisci Wittembergam aut ad ea loca, in quibus esset aliqua haereseos suspitio, liberosve suos eo mittere auderent. Id per F. tuam pro eo, ut officium illius postulat, diligenter esse curatum non dubitamus. Verum perfertur ad nos, esse nonnullos, qui, spreto et contempto edicto nostro Regio, quibus locis eis per nos interdictum est, in his commorantur, et pravis opinionibus mentem suam

imbuunt, ac redeuntes inde, virus, quos hauserunt, afflare aliis conantur. Quae res minime nobis ferenda esse videtur. Quare mandamus F. tuae, ut sub poena capitis, proscriptionis et privationis omnium bonorum edici omnibus denuo per praeconem faciat, ne vel liberos suos aut Wittembergam, aut Lipsiam, aut Goldbergam aut quaecunque tandem ad loca de haeresi suspecta, quae hic pro expressis haberi volumus, mittere, aut, si qui juris sui sunt, ipsi eo proficisci, audeant. Si qui vero liberos suos jam miserunt, ut eos intra semestre spatium domum revocent; alioqui non solum de liberis, se de ipsis etiam parentibus poenas sumus sumpturi, si constiterit, de consensu eorum in vetitis locis eos commorari. In eos quoque, qui proprio ausu propriaque temeritate profecti eo fuerint, aut ibi post edicti hujus nostri promulgationem fuerint commorati, graviter sumus animadversuri. Pari diligentia provideri a F. tua volumus, ne qui libelli in nostrum Regnum importantur Luterana labe infecti, quos multos ex illis partibus mitti in Regnum nostrum accepimus. Quisquis ejus generis libellos importare vel eis privatim vel publice uti ausus fuerit, id eisdem capitis, proscriptionis et privationis bonorum omnium poenis tenebitur. Datum Cracoviae, feria V. post Dominicam Palmarum, A. D. 1540.

—Zakrzewski, p. 236.

11. Literae ad episcopos de haeresi.—Sigismundus etc. Revde. in Chro. pater, sincere nobis dilecte. Ita ut fuit de consensu omnium Regni senatorum constitutum in proximis comitiis, misimus mandata nostra ad omnes arcium et bonorum nostrorum praefectos, atque eis ediximus, ut providerent, ne quis ad loca de haeresi suspecta proficisceretur, aut si quis profectus esset, ut intra semestre spatium reverteretur sub poena capitis, proscriptionis et privationis bonorum. Nunc P. vestra pro officio suo pastoralis inquireret diligenter, qui sunt ad ea loca profecti, ut nos parentibus eorum aut iis, in quorum potestate sunt, mandemus, quo intra semestre tempus eos revocandos curent; si secus fecerint, non ipsi minus quam liberi eorum poena capitis, proscriptionis et privationis bonorum omnium affiendi. De libris quoque Luteranis scrip-

simus ad illos et mandayimus, ut prohiberent eos importari aut legi a quopiam, locique ordinario eorum nomina deferrent, qui contra edictum hoc nostrum fecissent, ut is meritas de eis poenas sumendas curaret. Proinde hac quoque in re advigilabit P. vestra et diligenter inquiret, si qui sunt libri hujusmodi, curabitque, ut edictum hoc nostrum executioni mandetur. . . . Datum Cracoviae feria VI-a ante Dominicam Conductus Paschae (April 2nd) A. D. 1540.

—Zakrzewski, p. 237.

12. Concerning foreign travels of our subjects this is what we have resolved upon with our Council and with the Provincial Representatives, namely, that every subject of ours be free to leave the territory of the Polish Crown for whatever country he wishes to see, to enter into service, and to train himself in good manners; provided, however, that no one leaves accompanied, except by his own servants, by an armed force equipped for war, or having left, engages abroad in forming a warlike expedition of men who either had preceded or followed him, unless he has our and our Council's consent, for such procedure might turn out unfavorable to us and to the Crown; but goes only by himself or with his servants for the purpose of training himself in learning permitted by the Church. But whoever, returning from abroad, purposes to import, use, and spread any new teachings or books, shall be punished according to existing laws and constitutional provisions of the Crown. . . . Datum Cracoviae in Comitibus praefatis 12 Aprilis A. D. 1543.

—See Polish text in Zakrzewski, p. 240, and compare it with text in Vol. leg., I, fol. 566 ff., noting omissions.

13. De non inferendis Samuelis Apostatae libris mandatum.—Sigismundus etc. . . . Perfertur ad nos, Samuelem Apostatam iterum virus suum in Regno nostro spargere, ac venetatos quosdam libellos vernacula Regni nostri lingua conscriptos in vulgus edere, quibus a Christiania religione mentes rudium et simplicium hominum abducantur et in haereseos baratrum praecipitentur. Quoniam vero nostri est

officii providere, ne quid horum impiets, qui Christianam religionem evertere conantur, Regno nostro detrimenti adferat, mandamus S. tuae, ut sub capitis poena prohibeat omnibus, quo minus aut inferre sive vendere, aut emere sive in aedibus suis habere et legere ejusmodi libellos audeant. Quisquis deprehensus fuerit libellos ejusmodi habens, eum in carcerem coniici mandet, ac usque informationem nostram in eo detineri. Quodsi S. tua in mandato ejusmodi nostro exequendo non ea, qua oportet, diligentia usa fuerit, ac versari nihilo minus in manibus hominum venenatos ejusmodi libellos cognovimus, nequaquam id ita abire sinemus, gravemque nostram erga se indignationem experietur. Quam ut vitare possit, mandamus, ut ita se gerat in edicto hoc nostro exequendo, ut neque Christiani hominis, neque fidelis Capitanei nostri officium in se requiri patiatur, neque nos ad gravius aliquid in se consulendum adigat. . . . Datum in Brzeszcze Lithuaniae, 10 Julii A. D. 1544.

—Zakrzewski, p. 242.

14. Vol. leg. I, fol. 83: Item, ut gratia uberiori consolentur a nobis, etiam nos fide et servitiis amplioribus prosequantur, promittimus, quod exnunc et de caetero nunquam alicujus subditi Regni nostri, cujuscunque dignitatis, eminentiae, status aut gradus fuerit, bona haereditaria recipiemus, confiscabimus, recipi vel confiscari faciemus, nec se de eis per nos vel officiales nostros vel alios quoscunque homines intromitteremus vel intromitti faciemus pro quibuscunque excessibus aut culpis, nisi prius super hoc praecedat iudicium nostrorum, quos ad hoc deputaverimus, cum nostris praelatis, baronibus, matura cognitio et sententia sequatur. Czerwieńsk, 1422.

Vol. leg., I, fol. 93: Caeterum promittimus et spondemus, quod nullum terrigenam possessionatum pro aliquo excessu seu culpa capiemus seu capi mandabimus, nec aliquam vindictam in ipso faciemus, nisi iudicio rationabiliter fuerit convictus, et ad manus nostras vel nostrorum Capitaneorum per iudices ejusdem terrae, in qua idem terrigena residet, praesentatus; illo tamen homine, qui in furto vel in publico maleficio, (utpote incendio, homicidio voluntario, raptu vir-

ginum et mulierum, villarum depopulationibus et spoliis) deprehenderetur; similiter illis, qui dese nollent debitam facere cautionem vel dare juxta quantitatem excessus vel delicti, duntaxat exceptis. Nulli autem bona seu possessiones recipiemus, nisi fuerit judicialiter per judices competentes vel Barones nostros nobis condemnatus. Jedlnia 1430.

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INDEX

- Adjustment of religious differences, proposed project of 1555, 49-50.
- Agriculture, revival of, 108-116.
- Background of Polish Reformation, independent attitude of Polish princes, 9-11, of clergy, 11-13, of people, 13; influence of humanism, 13-14; character of Polish clergy, 14-15.
- Batory, Stephen, religious tolerance of, 79-80.
- Bible, Polish, different translations and editions of, 72.
- Bohemian Brethren, in Poland, 27-28, 41-42; union with Calvinists of Little Poland, 48; joint synod of the two in 1557 and proposed union with Lutherans, 56.
- Budny, Simon, Arian reformer and writer, 72, 73.
- Calvinism in Poland, 33-34, 39, 42; need of better church organization of, 43; growth of, 53.
- Casimir the Great, attitude toward church, 10.
- Causes of Polish Reformation, political, constitutional liberties of Polish nobility, 101-105, ecclesiastical jurisdiction, 126-134, problem of "execution of laws," 134-137; social, Renaissance, 64-66, art of printing, 66-73, education, influence of foreign universities, 73-78, religious tolerance, 78-82, aristocratic character of Polish, Reformation, 82-83; ecclesiastical jurisdiction, 126-134; economic, wealth of Polish church, 83-100, 121-124, revival of commerce and agriculture after Peace of Thorn (1466), 105-116, problem of national defense, 116-124, payment of tithes, 124-126.
- Church, opposition of nobility to, political, 101-105; economic, 105-116.
- Clergy, Polish, moral character of, 14-15; right to participate in royal elections questioned, 57-58; taxation of, 60-61; materialistic character of, 97-99.
- Commerce, Polish, change in, and its significance, 105-108.
- Confederation, of Korczyn (1438), 18; of Warsaw (1573), 62, 80-81.
- Conflict between Polish nobility and clergy, basis, constitutional liberties of Polish nobility, 101-105; causes, revival of Polish commerce and agriculture, 105-116, problem of defense, 116-124, quarrels over payment of tithes, 124-126, opposition to ecclesiastical jurisdiction, 126-134, demand for execution of laws, 134-137.
- Consensus Sandomiriensis, 62-63.
- Council of Constance, 16.
- Court clergy, affected by the Reformation, 39-40.
- Court, royal, affected by the Reformation, 30, 36.
- Czechowic, Martin, Arian reformer and writer, 73.
- Defense, problem of, 57, 60; more acute after agricultural revival, 116 ff.; insistence on the clergy's participation in public, 118-121; confiscation of ecclesiastical property for public, proposed, 122.
- Demesne estates, enlargement of, by extension of cultivation, 108; by expropriation of village mayorships, 108-109; by incorporation of vacant peasant leaseholds, 109-110.
- Ecclesiastical estates, location and productivity, 92-93; proximity to royal lands and its significance, 93-94.

- Ecclesiastical jurisdiction, protest against and demand for abolition of, 45; suspended for a year, 45, 46; suspension of, continued, 50, 57; demand for abolition of, in all matters, 58-59; abolished, 60-61, 126-132, 134.
- ✓ Economic basis of ecclesiastical revolt of Polish nobility, commercial changes, 105-107; industrial changes, 107 ff.
- ✓ Economic causes of Polish Reformation. See Causes.
- Edicts, of Wieluń (1424), 17, of 1433, 18; of Thorn (1520), 24; of Duke Janusz of Mazovia (1525), 26-27; of Cracow (1523), 28, of 1554, 32, of 1544, 37; due to growth of Reformation, 29; protest against their issuance, 59-60.
- Execution of Laws, 54, 56, 57, 113, 134-137.
- Farming by tenant peasants, not profitable in the 16th century, 114-115.
- Glebae adscripti, Polish peasants become, 115.
- Goniadz, Peter, reformer and writer, 73.
- Humanism, 13-14, 64-66.
- Hussitism, 16-19.
- Independence, of Polish princes, 9-11; of clergy, 11-13; of people, 13.
- Investiture, right of, 10-11.
- James of Paradyż, scholar and advocate of religious reform, 19, 20.
- Krowicki, Martin, Arian reformer and writer, 43, 47, 73.
- Krzyżak, Felix, Calvinistic reformer, accepted the Reformation, 39; fled to Great Poland, 46; returned to Little Poland, 46; appointed as superintendent of Calvinistic churches, 43; invited Bohemian Brethren to unite with Calvinists of Little Poland, 48.
- Landownership, regarded as a special privilege of the Polish nobility, 110; townspeople excluded from, and from high church offices, 110-113; enlarged by purchases, 114.
- Łaski, John, most distinguished Polish reformer, 38, 53, 56, 64, 65.
- Legacies, of Polish ecclesiastical princes, 91-92.
- Liberties, constitutional, of Polish nobility, 101-105.
- Lismanini, Francis, a leader in Polish religious reform, 30, 39, 40, 41, 42, 53, 81.
- Lutheranism, in Danzig, 21-24; in other West Prussian cities, 24-25; in East Prussia, 25-26; in Great Poland, 27-28; in Little Poland, 28-30.
- Mandate of Sigismund I on the starostas, 37, 38.
- Matthew of Cracow, scholar and advocate of religious reform, 19-20.
- Mayors of ecclesiastical villages, 56, 57, 60, 116 ff. See also Defense.
- Meetings, secret, in Cracow, 39-40.
- Modrzewski, Andrew Frycz, distinguished humanist and advocate of reform, 64, 65-66.
- National Synod, 13, 50-51, 56-57.
- Nobility, opposition to church, political, 101-105; economic, 105-116.
- Ochino, Bernard, taking refuge in Poland, 81.
- Oleśnicki, Cardinal Zbigniew, 17, 18.
- Order to the starostas of 1546, 38.
- Orzechowski, Stanislaus, 43, 44-45.
- Ostrorog, John, 14, 64-65.

- Political causes of Polish Reformation. See Causes.
- Pope Pius IV, reforms which he was asked to sanction, 50-51.
- Prażmowski, Andrew, his preaching of Calvinistic doctrines in Posen, 42.
- Pre-Reformation reform movements, influence, of Waldensians, 15-16; of Wyclif's teaching, 16; of Hussitism, 16-19; of loyal sons of the church at home, 19-21.
- Printers, Cracow, 66-70.
- Printing, as a cause of Polish Reformation, 66-73.
- Privileges, clerical, presented "ad iudicium," 60.
- Protestantism, strength of, by 1569, 61-63.
- Racovian Catechism, 73.
- Radziwill, Nicholas, the Black, an intimate of Sigismund Augustus, 41; Lippomano tried to influence, 51-52; founded a press at Brześć Litewski from which issued the Radziwill Bible, 71.
- Renaissance. See Humanism.
- Reformation, spread of, in Poland, early beginnings and struggles, 21-33; growing aggressiveness, 33-40; triumph and dominance, 40-63; in Danzig, 21-24; in West Prussia, 24-26; in East Prussia, 26; in Mazovia, 26-27; in Great Poland, 27-28; in Little Poland, 28 ff.; topic of general discussion, 34; a class movement, 82-83, 132-134.
- Rey, Nicholas, father of Polish literature, 37.
- Roman clergy, affected by the Reformation, 38-39, 42, 43.
- Samuel, Andrew, 37, 38-39, 40.
- Seklucjan, John, 27, 37, 39, 40, 72.
- Sigismund I, 11, 23, 27, 37, 40; his tolerance, 38, 78-79.
- Sigismund II, Augustus, 12; Calvin's Commentary on the Mass dedicated to, 34; religious attitude of, 40-41; tolerance of, 79.
- Social causes of Polish Reformation. See Causes.
- Social classes, affected by Reformation, 82-83; 101.
- Stankar, Francis, his defection from Rome, 43-44; his flight to Great Poland and return, 46.
- Status of peasants, changed by legislation, 115-116.
- Sozzino, Lelio, 81; Faustus, 81.
- Synodical decrees, 30-32, 34; fertility of, 32, 35-36.
- Taxation of clerical property, by Casimir the Great, 10; insisted upon by nobility for purposes of defense, 123-124.
- Tithes and tithing, opposition to, 59, 61, 97-98, 124-126.
- Tolerance, religious, as cause of Polish Reformation, 78-82.
- Treaty of Thorn (1466), its effect on Polish commerce and agriculture, 106 ff.
- Uchański, James, 12, 39, 55, 56-57, 59.
- Universities, foreign, influence of, 73-78.
- Vatican, concerned about Poland, 51.
- Vernacular, appeal to the masses through literature in, 36-37.
- Waldensians, influence of, on Poland, 15-16.
- Wealth of Polish church, landed, in Great Poland, 84; in Little Poland, 84-85; in Mazovia, 85; in Podlasie, 85-86; in Volhynia, 86; in Red Russia, 86-87; in Ukraina, 87; compared with that of the crown and of the nobility, 87-91; minimum total estimates of, 94-96; other sources of income, 96-97; its influence on Polish nobility, 97-100; proposed confiscation of, 100.
- Wyclif, influence of his teaching in Poland, 16.
- Zalasowska, Catherine, execution of, 39.

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